

master General censorship over publications; to the Committee on the Post Office and Post Roads.

By Mr. BORCHERS: Petition of citizens of Champaign and Urbana, Ill., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of M. P. and H. C. Cooper, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, memorial of National Association of Vicksburg Veterans, favoring appropriation for national celebration and peace jubilee at Vicksburg, Miss.; to the Committee on Appropriations.

Also, petitions of Matthew A. Sandrock and Edward A. Loehr, protesting against publication called the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of American Association for Labor Legislation, favoring the passage of the Kern-McGillicuddy workmen's compensation bill (H. R. 15222); to the Committee on the Judiciary.

Also, petition of Elmer E. Hubbard, of Cardenas, Cuba, favoring a federation of nations first on the Western Hemisphere; to the Committee on Foreign Affairs.

Also, memorial of Electrical Contractors' Association of New York, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of South Dakota: Petition of sundry citizens of Eureka, S. Dak., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. CALDER: Petition of Associated Physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. DALE: Petitions of Cigar Makers' Local Union No. 132, of Brooklyn, and New York Stereotypers' Union, No. 1, urging passage of the immigration bill over the President's veto; to the Committee on Immigration and Naturalization.

Also, petition of Associated Physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of John C. Leeneth, Sea Cliff, Long Island, N. Y., favoring passage of bills to prohibit export of war materials; to the Committee on Foreign Affairs.

By Mr. DAVIS: Resolutions adopted by the Minnesota State Dairyman's Association, at Owatonna, Minn., to enact a law that will compel manufacturers of oleomargarine which contains cow butter to sell their product as adulterated butter subject to an internal-revenue tax of 10 cents per pound, and the usual licenses for adulterated butter, etc.; to the Committee on Agriculture.

By Mr. DRUKKER: Petition of citizens of Paterson, N. J., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FARR: Petition of Peter Bollard, James F. A. Muldoon, C. A. McCarty, Edward J. Brogan, James H. Lally, J. J. M. F., and P. J. Cannon, and Mark Kennedy, of Olyphant, Pa., against circulation of certain anti-Catholic publications; to the Committee on the Post Office and Post Roads.

By Mr. GARRETT of Tennessee: Petition of Tennessee Association of Credit Men, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. GRAHAM of Pennsylvania: Petitions of sundry citizens and societies of the State of Pennsylvania, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. HINDS: Petition of John H. Harrington and 10 other citizens, of Portland, Me., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communications of Adolph Grenlich, Louis Haussler, W. B. Retz, and William Kieseewetter, all of New Britain, Conn., in re House joint resolutions 377 and 378, S. 6688, and H. R. 19548; to the Committee on Foreign Affairs.

By Mr. MOORE: Letters from Siebebburger Gesellschafts Verein, of West Homestead, Pa.; Concordia Quartette Club, Deutscher Romisch Katholischer Staats-Verband, and sundry citizens, of Philadelphia, Pa., favoring legislation to prohibit the exportation and sale of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Petition of Elmer E. Hubbard, of Cardenas, Cuba, and citizens of Pittsburgh and Philadelphia, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also (by request), petition of Miss E. S. Stilwell, of Tioga County, Pa., favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. NEELEY of Kansas: Petition of citizens of Hooper County, Kans., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hooper County, Kans., against export of arms; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Enrolled copy of senate joint resolution 4 of the Legislature of the State of California, favoring the passage of the Keating bill, providing pensions for the veterans of the Indian wars; to the Committee on Pensions.

By Mr. OGLESBY: Petition of Association of the Civil War Officers, of the twenty-fourth congressional district of New York, favoring placing of volunteer officers of the Civil War on list of retired officers; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of Charles W. Grower, Providence, R. I., favoring passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petition of Dudley Hardware Co., Providence, R. I., protesting against passage of bill to prohibit Government from selling stamped and return envelopes; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Petition by L. D. Howard, of Lassen, Lassen County, Cal., and 81 others, against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. L. H. Brown, of California, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. F. O'Keeff and Mr. Henry Steltz, of Placerville, Cal., and other American citizens, favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of Camp Fire Club of America, against H. R. 16673, relative to leasing of public lands; to the Committee on the Public Lands.

Also, petition of citizens of Hollywood, Cal., favoring House bill 12292, the Owen-Palmer child-labor bill; to the Committee on Labor.

By Mr. SABATH: Petition of Chicago Federation of Labor, asking an investigation into the administration of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. THOMPSON of Oklahoma: Memorial of St. Joseph's Society, protesting against passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. VOLLMER: Petition of Plattduetsche Verein, of Grand Island, Nebr., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of Louis N. Miller, of Muscatine, Iowa, for a system of Federal, State, and municipal free employment agencies; to the Committee on Labor.

By Mr. WALLIN: Petition of sundry citizens of Amsterdam, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 10, 1915.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Open Thou our hearts, Father in heaven, to the spiritual forces which wait upon us and inspire us with a full sense of the confidence Thou hast reposed in us as free moral agents, that we may choose right and follow the lead of our conscience in the affairs of men; that with clear conceptions and noble purposes we may do Thy will, and thus be worthy of the intellectual, moral, and spiritual gifts Thou hast bestowed upon us. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration

ation of the bill H. R. 21318, the sundry civil appropriation bill. When the committee rose last evening there was pending an amendment offered by the gentleman from New York, Mr. LEVY.

Mr. FITZGERALD. Mr. Chairman, if possible, I would like to arrange some time for debate on this proposition.

Mr. GILLETT. I have no idea how many Members on this side wish to speak.

Mr. COOPER. I want some time against the amendment offered by the gentleman from Massachusetts.

Mr. GILLETT. Suppose we go on without any time agreed upon for a while. I do not think there will be a great deal of time used.

Mr. MANN. Mr. Chairman, I think the gentleman from New York had an amendment pending to perfect the text, which would be first in order.

The CHAIRMAN. The Chair has so stated—that the question was on the amendment of the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I will withdraw my amendment for the present and allow the amendment of the gentleman from Massachusetts to be considered.

The CHAIRMAN. The gentleman from New York withdraws his amendment, and the Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Page 49, strike out the paragraph beginning on line 8 and ending on line 21.

Mr. GILLETT. Mr. Chairman, I am making another attempt here to come to the rescue of the party in power and the suffering Treasury. Judging from my success the other day in attempting to save the Treasury \$9,000,000, I am not very sanguine of the result here. At the same time there is this difference: That amendment appealed to the individuals in the House—it was a piece of fat, luscious pork—whereas this amendment does not strike at us as individuals; so I hope it can be considered more impartially.

Now, I do not wish to go into the original question of the value of ascertaining the cost and present value of railroads. I think everybody must admit that would be very desirable to accomplish, and that it would unquestionably aid in fixing rates and in determining the values and settling the mind of the people of the country as to whether railroads were extorting from them or not undue rates and would be of great use. The question is not whether it is valuable, because I and everybody must admit that.

The question is, are we to-day in such a financial condition as to warrant the expense of ascertaining these valuable facts. It is going to cost a great deal more than we had any idea when we first adopted the legislation, and at the same time the Treasury is much less able to meet the expense than it was then. When first considered, we were told that it would cost three or four million dollars. What is the condition to-day? We have appropriated to date two and a half million dollars which has been nearly expended, and the work is hardly begun, and the chairman of the commission informed the committee—I will read his exact language:

Now, we are spending at the rate of \$2,000,000 a year; \$2,000,000 a year, with perhaps some slight addition, because our land work is not fully developed yet, will carry all parts of the work along at the same pace; that is to say, would cover approximately from 20,000 to 25,000 miles of railroad a year. Of that \$2,000,000, over \$500,000 is what may be termed overhead expense, and that expense would not be increased if you doubled the number of our parties; and it has always been my belief that we should conduct this work at the rate of about 50,000 a year; that is to say, we should practically clean up the work between July 1 next and July 1 four years later.

That is to say, if they go at the rate of 50,000 miles a year they would do it in 4 years from next July or 6 years from the time the work was begun. But at the rate he asked appropriations for, two millions a year, at the rate they are now progressing it would take 8 or 10 years, for they are only doing about 25,000 miles a year; and if at the rate of 50,000 a year it would take 4 years from next July, at 25,000 a year it will take them 8 or 10 years to complete the whole work. Moreover, Mr. Chairman, he told us that it is costing the railroads at least as much, and he instanced one railroad which it is costing twice as much per mile as it is the commission in addition.

Mr. ESCH. That had reference to the Boston & Maine, and was due to the fact that it was one of the oldest railroads and had no maps and no original records, and they had to reproduce them all.

Mr. GILLETT. Yes; I was not assuming that it would cost that much all over the country. He said in some cases it cost twice as much. I think it is fair to say that on an average it will cost the railroads as much as it does the commission, and that at the rate we are now going, \$2,000,000 a year, in eight

years' time it will cost \$16,000,000, and we have spent two millions and a half already, so there is about \$20,000,000 on the present estimate, and that in the past estimates have always been far too low. It will cost the railroads as much more, and that all comes out of the people, because the railroads have got to get their rates, and so there is an expense of about \$40,000,000, and we do not know how much more. It will cost the country \$40,000,000 and upward to establish these facts.

Now, in the present condition of the Treasury, when, as the gentleman from New York [Mr. FITZGERALD] said yesterday, we are probably next year going to have a deficit of from thirty to one hundred million dollars, is it not just as well to stop and hesitate before we go further into this expense? It is going to take at the present rate 10 years, and will cost the country \$35,000,000 at least. At the end of 10 years a large part of the work will be obsolete; the inventory which is taken at the beginning will be of very little value then. Moreover, Judge PROUTY said in the hearings that if the law were strictly to be carried out, and if they were to make the inventories that the law requires, there would be \$15,000,000 more in addition required in making the computations. So we are entering into a tremendous field of expenditure—a field which we did not contemplate at all when we passed the original bill. It seems to me, under the present conditions, when the Treasury is suffering, when that side even admits the probability of a deficit—it seems to me that now is the time to curtail expenditures, and here is an opportunity to cut off \$3,000,000, which we ought not to neglect.

Mr. ADAMSON. Mr. Chairman, of course I am deeply impressed by the earnest, soul-stirring, tear-compelling remarks of the gentleman from Massachusetts [Mr. GILLETT], who is so deeply concerned about economy and who rushes so often "to the rescue" of the poor, incompetent Democrats in his efforts to protect the people against Democratic extravagance. Of course the remarks are jocular. It is not generally known that he is a humorist, but he is of the very gravest type. His speech reminds me of a fable, which no doubt he will remember as giving him pleasure in childhood. It may be that he wants his party to imitate a character in that fable. The pigeons, you know, in terror of the hawk, besought the kite to come and protect them against the hawk and rule over them. The kite came, and without difficulty routed the hawk, and then took possession of the pigeon cote and ate the pigeons all the winter in perfect happiness. Mr. Chairman, the gentleman and his party, if they can hornswoggle the people into driving the Democrats from custody and power, and restore them, will be very much in the position of the kite, and again thrive and grow rich and powerful by devouring the substance of the people whom they misrule and rob. [Laughter.]

Mr. COOPER. Mr. Chairman, I am opposed to the amendment of the gentleman from Massachusetts [Mr. GILLETT]. It is necessary only to state the principles on which to-day the people, regardless of party, are united, in order to show that we ought not to stop the work of making a physical valuation of railroads upon which the Interstate Commerce Commission is engaged, and that the amendment of the gentleman from Massachusetts should be defeated.

Transportation is a necessity of business life, and as a railroad is a monopoly of transportation rates ought to be, and have been, made the subject of public regulation. The law has bestowed upon the Interstate Commerce Commission the power to say what is a just and reasonable rate, and yet that commission is to-day without the information absolutely necessary to enable it to tell when rates are just and reasonable. That sounds strange, but it is entirely true. The commission to-day has not the facts necessary in order that it may with confidence declare that rates are just and reasonable as between shippers and the companies. The gentleman from Massachusetts [Mr. GILLETT] has just said that no one will deny that the valuation of the property of railroads might be a good thing, but he maintains that the condition of the Public Treasury does not warrant us in proceeding with it at this time. Mr. Chairman, this is not a question of doing a good thing by and by. This is a question of providing for an absolute and pressing necessity now. It is not a question of the future possibility of a deficit; it is a question of the necessity of giving the Interstate Commerce Commission without delay reliable data with which to determine whether rates are reasonable.

The gentleman from Massachusetts said that this valuation ought not to be proceeded with now because of the condition of the Treasury; but he made another statement which indicated that if he could have his way there would not be any physical valuation of railroads at all. If this is not his attitude why did he declare with much fervor that we are entering upon a vast field of expense and that no one knows what that expense

will be? That statement of the gentleman reveals that it is not the present condition of the Treasury which especially troubles him. On the contrary, it clearly shows that he is going to be troubled in the future, as he is now, regardless of the condition of the Treasury. He is alarmed because, as he says, we are entering upon a great field of expense, the magnitude of which no one can tell. That means that at heart the gentleman is opposed to having the Government ever learn the value of the railroad properties.

Mr. GILLETT. Does not the gentleman admit that is the fact?

Mr. COOPER. I do not.

Mr. GILLETT. That we are entering into a great field of expense that we can not estimate?

Mr. COOPER. Oh, we can not exactly, but we can approximately.

Mr. GILLETT. What does the gentleman think it will cost?

Mr. COOPER. The gentleman's question shows plainly that I correctly interpreted his statement.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that my time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER. The gentleman from Massachusetts is at heart opposed to continuing and completing this business of making a valuation of the physical properties of the railroads.

Mr. Chairman, there is a decision of the Supreme Court of the United States which is decisive of the question presented by the amendment now pending. But before reading from the decision it may be well for me to say that no Member wishes—certainly I do not wish—to indulge in indiscriminate attacks on railroad management. I know railroad officials, men of fine character and of unusual ability, high-minded, public-spirited citizens. I have heard of others who are not men of that character, but are lacking in the essentials of true American manhood, but that fact would not, as I have said, justify me in indulging in denunciation of all railroad management—that sort of unreasoning, indiscriminate abuse characteristic of the demagogue and of the demagogue only.

But to return to the decision of the Supreme Court. I read from *Smyth v. Ames* (169 U. S. Repts.) the decision rendered by Mr. Justice Harlan.

A railroad is a public highway, and none the less so because constructed and maintained through the agency of a corporation deriving its existence and powers from the State. Such a corporation was created for public purposes. It performs a function of the State. Its authority to exercise the right of eminent domain and to charge tolls was given primarily for the benefit of the public. It is, therefore, under Government control, subject, of course, to the constitutional guaranties for the protection of its property. It may not fix its rates with a view solely to its own interests and ignore the rights of the public, but the rights of the public would be ignored if rates for the transportation of persons or property on a railroad were exacted without reference to the fair value of the property used for the public or of the services rendered, and in order simply that the corporation may meet operating expenses, pay the interest on its obligations, and declare a dividend to stockholders.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin. [After a pause.] The Chair hears none.

Mr. COOPER. I ask the careful attention of the House to another paragraph in this opinion of the Supreme Court:

The basis of all calculations as to the reasonableness of rates to be charged by a corporation maintaining a highway under legislative sanction must be the fair value of the property being used by it for the convenience of the public; and in order to ascertain that value, the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stock, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration and are to be given such weight as may be just and right in each case. What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience; and, on the other hand, what the public is entitled to demand is that no more be exacted from it for the use of a public highway than the services rendered by it are reasonably worth.

Observe again the language of the Supreme Court, for it is conclusive against the amendment of the gentleman from Massachusetts:

What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience.

Here is a decision of the Supreme Court of the United States holding that a railroad is entitled to receive a fair return on the value of the property it uses. But how is the Government to know the value of the property used by a railroad unless it

appropriates money to find out? This decision of the Supreme Court conclusively shows that the amendment offered by the distinguished gentleman from Massachusetts ought not to pass. To-day the Government does not possess the information which the court says is indispensable in the establishing of just rates.

Mr. GORDON. Will the gentleman yield?

Mr. COOPER. I will.

Mr. GORDON. Is it not a fact in these hearings before the Interstate Commerce Commission now that the only evidence of the value of railroads is the stocks and bonds which the managers themselves issue?

Mr. COOPER. There is considerable truth in that suggestion.

The people of the United States are fair-minded. They would not harm the roads; they ask only justice for themselves. Public opinion—

Mr. BARTLETT. May I suggest to the gentleman, in answer to that question, that while they have that evidence under this bill on which this valuation is to be taken, that they have sent bodies of men out for the purpose of going over the roads and making the actual examination to determine the value of the roads. In other words, the mere fact that we are providing for the physical valuation pretermitted the idea that they make a value of all their stocks and bonds issued.

Mr. MANN. If the gentleman will permit, we have not provided for a physical valuation. We provided for a valuation of the property.

Mr. BARTLETT. That is what we thought we were doing.

Mr. MANN. No; we changed it on purpose.

Mr. COOPER. Well, the law now includes it.

Mr. MANN. Certainly it includes physical valuation, but the endeavor was to give the valuation of all classes of property, so the commission will have that information.

Mr. BAILEY. In that very physical valuation, does the gentleman understand the franchise values are included?

Mr. COOPER. No; they do not pay anything for the franchise. Why should they charge rates to earn dividends on something the people gave them?

Mr. BAILEY. Well, the franchise value to-day figures in the freight rates and other rates, does it not?

Mr. COOPER. Here are the elements of valuation set forth in this decision of the Supreme Court:

And in order to ascertain that value the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stocks, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration, and are to be given such weight as may be just and right in each case.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COOPER. Mr. Chairman, in view of the great importance of the pending amendment, I ask for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. BAILEY. I think they include franchise values in the calculation in the issuance of stocks and bonds; in other words, the stocks and bonds are based upon the franchise value almost invariably, or very largely so.

Mr. COOPER. Stocks and bonds ought not to be issued upon something they got for nothing and then proceeded to declare worth millions to them after getting it.

Mr. BAILEY. Is it not true that the recent freight advance is being capitalized to-day and more securities are being issued thereon?

Mr. COOPER. I do not know; I am speaking now on a matter of abstract principle. I say that it is utterly impossible for the Interstate Commerce Commission properly to perform its duties in the vastly important matter of regulating rates unless Congress shall appropriate money sufficient to enable it to ascertain the value of the property used by the roads.

The sum of \$3,000,000 is nothing compared to fifteen or twenty billions, the alleged value of the property. We better issue bonds for that sum than to stop this valuation. The interests of the Government, the interests of the shippers, the interests of the roads themselves all demand that this amendment be defeated, the money appropriated and the work of making the valuation be, as rapidly as possible, hastened to a conclusion.

Only yesterday the newspapers reported that one of the western railroads voted presents of \$100,000—gifts of money—to each of three of its officials, and that on the 25th of this month the Interstate Commerce Commission is going to make an investigation of these interesting and munificent donations. Who furnished these hundreds of thousands of dollars? Why, of

course, the people, who paid for freight over the road and the passengers who rode in its cars.

Consider the scandalous performance of the New York, New Haven & Hartford Railroad. Ought the people not to know how much is really invested in that property? The best railroad managers in the United States are in favor of this law and of its enforcement now. A good railroad man told me not long since that the one great obstacle with which railroads are constantly confronted is the prejudice aroused, and legitimately aroused, in the public mind by the scandalous conduct of some men who are manipulating stocks, but ought not to be managing railroads.

It is impossible for the Government properly to fix rates without knowing the value of the railroad property, and yet the gentleman from Massachusetts proposes not to appropriate a cent for us to continue this absolutely necessary work. Public opinion is very strongly in favor of having this work go on. Wisconsin has valued her railroads, Michigan has valued her railroads, other States have valued their railroads, and all with benefit to intrastate shippers in these respective Commonwealths.

Will anybody tell me why it would not be of equally great benefit to the interstate shippers and to the interstate passengers in the United States if we had that data for the great interstate trunk lines? What we need in order to do justice in the United States in the solution of all of the great industrial problems which confront the Republic is publicity, not secrecy and the strong arm. I shall vote against the amendment, and I shall be astonished if the Committee of the Whole does not reject it.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. BURKE of South Dakota. In the gentleman's State I understand they have a very complete system of physical valuation of railroads, and the gentleman states that it has resulted in a material reduction of rates within the State.

Mr. COOPER. I have been told so.

Mr. BURKE of South Dakota. What has been the effect in regard to taxing railroads since the physical valuation has become known?

Mr. COOPER. As I understand it, the relations between the State now and the railroads are more harmonious than ever before in the history of the State. Both corporations and the people are satisfied with present conditions. The earnings of the railroads have increased and in many instances rates within the State have been reduced.

Mr. BURKE of South Dakota. Has their use been utilized for taxing purposes as the result of the physical valuation?

Mr. COOPER. I do not know as to that; but I know that rates have been diminished. Perhaps the gentleman from Wisconsin [Mr. LENROOT] may know.

Mr. LENROOT. The taxes have been increased in this way: At the time the physical valuation was had the system was changed from a gross-earning system to a valuation system.

Mr. BURKE of South Dakota. Can the gentleman tell what it cost to make the physical valuation in Wisconsin?

Mr. COOPER. I do not know.

Mr. BURKE of South Dakota. Does the gentleman from Wisconsin [Mr. LENROOT] know?

Mr. LENROOT. I do not.

Mr. STAFFORD. Were not the figures of the valuation for the purposes of taxation used in the physical valuation?

Mr. LENROOT. The tax commission had made the valuation for the purposes of taxation and that was used as a basis for the investigation.

Mr. BURKE of South Dakota. Can the gentleman tell us to what extent, if any, the physical valuation made in the State of Wisconsin is taken into consideration by the Interstate Commerce Commission in making the physical valuation?

Mr. COOPER. I know nothing of what the Interstate Commerce Commission is doing under the Federal statute, except as information has come to me that it is busily at work.

Mr. GOOD. Mr. Chairman, I want to oppose the amendment.

The CHAIRMAN. The gentleman from New York [Mr. LEVY] is recognized, after which the gentleman from Iowa will be recognized.

Mr. LEVY. Mr. Chairman, this \$3,000,000 appropriation is a monstrous outrage on the taxpayers of this country.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Not at the present time.

Three million dollars! That is 2½ per cent on \$120,000,000 in one year. What do they propose to do? To keep on valuing the railroads for the next 20 years, for at the rate they are going now they will not finish it within that time. What is the good of such a valuation? Every State in this Union has a

railroad valuation now fixed by a commission for tax purposes. You can go to any commission in any State in this Union and they will give you the valuation of the railroads. Even in the archives of the Interstate Commerce Commission at the present time they have valuation of these railroads. Last year I opposed a similar provision, and at that time offered an amendment that this valuation be submitted to the lowest bidder for the purpose of valuation by experts, and at that time I read to this House a proposition from a distinguished statistician, who made the offer, and which I will repeat:

All of this work and valuation to be begun within 60 days from date of signing and execution of contract and finished within three to four years from date of beginning for the sum of \$5,197,000.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Excuse me for the present. If I have time later I will be glad to yield. It costs the railroads of the United States for valuations not \$3,000,000 but \$6,000,000 a year. Why place upon the carriers of this country an enormous expense? Is there any reason for this? Can you not see why the cost of freight and passenger rates have to be advanced? The railroads of this country carry freight for one-third of what it is carried for abroad. Since last year many roads have been forced into bankruptcy by this most extraordinary policy of interfering with the management of railroads.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Yes.

Mr. MADDEN. Has anybody else gone into bankruptcy except the railroads?

Mr. LEVY. Oh, yes. [Laughter.] There is no question about that; and it has all come from what? From the Sherman law, which was placed on the statute books by the Republican Party [laughter], and which is one of the most obnoxious laws that was ever enacted. The Hepburn law has caused an increase in the price of commodities to every household in the country. Take, for instance, since the Hepburn law was passed coal has cost in the city of New York \$2 a ton more than previous to the passage of that act. That gave no relief to the people. Why do you continually bring up propositions like this? Here is a commission that has gone into existence, and last year they asked for \$1,900,000, and then \$100,000 more, and now I hear \$500,000 more, and now they ask for \$3,000,000, which is the interest on \$120,000,000 for one year.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Yes.

Mr. LENROOT. Does not the gentleman think that the Government could save a great deal of money if it authorized the railroads to make their own valuations for the Interstate Commerce Commission?

Mr. LEVY. They are doing it now.

Mr. LENROOT. Does not the gentleman think the railroads would like to do that?

Mr. LEVY. Does the gentleman deny that the States have made valuations?

Mr. LENROOT. That is not the question. Does not the gentleman think that we could save money if we permitted the railroads to make their own valuations for the Government?

Mr. LEVY. It is uncalled for at the present time. Your proposition here is not valuing the railroads, but you are making an allowance as if you were taking preliminary steps to building these railroads. It would be much cheaper to buy the railroads.

Mr. GORDON. Does not the gentleman think that the railroads ought to be allowed to fix their own rates?

Mr. LEVY. No. They are fixed by law.

Mr. GORDON. How are you going to fix them by law unless you know what the value of the railroads are?

Mr. LEVY. They are fixed by law at the present time, and many of their charters do not permit them to charge more than a certain amount. I am looking after the interests of the people of this country. We need 100,000 miles more of railroads in this country, and the way you are placing obstacles in the way of the carriers in this country is disastrous. Take, for instance, the Interstate Commerce Commission. It took them nearly two years to give the railroads a fair rate, and it was many months before they decided the question. It went into effect about the middle of January of this year. Is it any wonder that many railroads have gone into bankruptcy?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOOD. Mr. Chairman, the condition of the Treasury naturally impels Members of Congress to economize wherever they can without stopping the ordinary functions of the Government. In the last Congress we authorized a valuation of the railroads of the country by the Interstate Commerce Commission, and during the past year that commission has or-

ganized a large force, and is now at work making that valuation. To stop this work at this time, it seems to me, would be to take a long step backward. It would not be in the interest of real economy and would be a direct blow to the principle that railroad rates should be based upon the value of the property employed by the railroads. To adopt the amendment would stop the work that the great Interstate Commerce Commission has been carrying on. I can not, therefore, much as I regret, support the amendment of the gentleman from Massachusetts.

But, Mr. Chairman, at this time I want to congratulate the President of the United States on a great accomplishment, one of the greatest accomplishments in the minds of many people of his administration. On the 29th day of April, 1907, President Wilson wrote a letter to Mr. A. H. Joline, president of the Missouri, Kansas & Texas Railway Co., which letter is as follows:

PRINCETON, N. J., April 29, 1907.

MY DEAR MR. JOLINE: Thank you very much for sending me your address at Parsons, Kans., before the board of directors of the Missouri, Kansas & Texas Railway Co. I have read it with relish and entire agreement. Would that we could do something, at once dignified and effective, to knock Mr. Bryan once for all into a cocked hat.

Mr. MADDEN. When did the gentleman say that was written?

Mr. GOOD. In 1907. The wish expressed in the President's letter in 1907 has been accomplished by the President of the United States. In 1912 the Democratic convention adopted a platform from which I read:

We favor such legislation as will effectually prohibit the railroads, express, telegraph, and telephone companies from engaging in business which brings them into competition with their shippers or patrons; also legislation preventing the overissue of stocks and bonds by interstate railroads, express companies, telegraph and telephone lines, and legislation which will assure such reductions in transportation rates as conditions will permit.

On that platform the President of the United States was elected, and in support of those declarations of principles, on hundreds of platforms, Mr. Bryan renewed his charges—charges which he had frequently made years before—that railway companies were charging excessive rates and that the Democratic Party would bring about a reduction in those rates. I realize what the gentleman from Massachusetts evidently had in mind when he offered this amendment to strike out this provision, and in a measure I sympathize with him, because under the present administration railway rates are going up no matter what the values of the railways may be. If left to this administration, there would be no reduction in rates, no matter what the valuation of the roads might be.

Mr. GORDON. Will the gentleman yield?

Mr. GOOD. I can not yield. And let us remember that this work will not be completed during a Democratic administration. When the work of making a valuation of the railroads is completed we will have in the White House a man who will not indicate his wish or dictate to the Interstate Commerce Commission as to what its decision should be on the question of granting an increase of rates.

Mr. GORDON. Mr. Chairman—

Mr. GOOD. I can not yield just now, but if I can get a little more time I will yield to the gentleman.

Mr. GORDON. Upon what authority does the gentleman say that the President dictated—

Mr. GOOD. The eastern railroad companies filed their petitions with the Interstate Commerce Commission asking for an increase of 5 per cent in freight rates in that section of the country. The Interstate Commerce Commission heard the testimony and arguments thereon and denied the increase. In practically every newspaper there was then published the statement, or rather what purported to be the views of the President. From this source it appears that the President desired, in effect—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask for five more minutes.

The CHAIRMAN. Is there objection?

Mr. GORDON. Reserving the right to object, I would like to know if the gentleman is willing to answer my question?

Mr. GOOD. I will yield to the gentleman when I have finished my statement.

Mr. GORDON. I will object or the gentleman will yield to me.

The CHAIRMAN. The gentleman from Ohio objects. The question is on the amendment—

Mr. GORDON. Mr. Chairman, the gentleman from Iowa just made a statement here that the President of the United States has dictated to the Interstate Commerce Commission and compelled them to reverse their decision. I want to say that statement is entirely false. Now, that statement or similar ones have been made on the Republican side of this Chamber for

a year past. Several gentlemen came to me privately, and winked, and exclaimed that the President had dictated to the Interstate Commerce Commission, and I respectfully denied this as a general proposition. I said I did not believe the President of the United States would be guilty of any such thing as that.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GORDON. When I finish this statement. But that statement was persisted in privately; it was not made on the floor of the House, as the gentleman from Iowa just made it, but it was persisted in here, so I made an appointment with the President of the United States and told him about it. [Laughter.] That is the way to find out a thing. The President of the United States said to me, in substance, that he would no more think of interfering with a case pending before the Interstate Commerce Commission than he would of interposing in a case pending before the Supreme Court of the United States.

Mr. CAMPBELL. Or with Congress.

Mr. GORDON. That is what the President of the United States said to me, and I undertake to say that the statement of the gentleman from Iowa is absolutely false and without a particle of foundation in fact. It is made purely for partisan purposes, and it has been made repeatedly by men on that side of the House; but he is the first man I have ever heard make it here upon the floor of this House. Now, I yield to the gentleman from Illinois.

Mr. MADDEN. I just wanted to ask the gentleman who are these men who came to the gentleman and winked and explained that the President had dictated to the Interstate Commerce Commission?

Mr. GORDON. They were Republican Members.

Mr. MADDEN. Who were they?

Mr. GORDON. It is not important. They did not make the statement publicly, or offer any proof in support of it, or assume any responsibility for it and put it in the Record here, as the gentleman from Iowa does; and if he has any proof of the statement he has made he ought to present it to this House or else hold his peace.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. I was just about to submit a little proof which I think to the ordinary man would be almost conclusive that the President has interfered in the case of the Interstate Commerce Commission, just as he has interfered with what is going on at the other end of the Capitol to-day, if the newspaper accounts of what actually took place are to be believed; and the gentleman from Ohio is the first person I have heard declare that there was no truth in or foundation to those newspaper accounts. Suffice to say that the decision of the Interstate Commerce Commission refusing the 5 per cent increase to eastern roads had no sooner been flashed over the wires throughout the country than it was known or whispered about, talked about, and became common knowledge—

Mr. GORDON. Whispered.

Mr. GOOD. The newspapers stated that the President wanted the Interstate Commerce Commission to grant the increase. If the President's interference did not cause certain commissioners to change their minds, why was it that, without filing additional proof, the Interstate Commerce Commission within 90 days from the time it rendered its decision refusing the increase on the petition of the railroads granted precisely the increase that it had denied to them only 90 days before?

Mr. SLOAN. Will the gentleman yield?

Mr. GOOD. Not just now. Take the new appointees of the present administration on the Interstate Commerce Commission. I am led to believe that one of the new appointees is in favor of increasing the rates of railroad companies irrespective of what the physical valuation of railroads might be. I refer to Mr. Daniels, the gentleman who was appointed from the State of New Jersey, and I arrive at this conclusion by a reading of his dissenting opinion on the first petition of the eastern roads. I am also inclined to this opinion by a reading of the reports on his decision before he was appointed to his present position. According to these decisions it was the opinion of Mr. Daniels that the rate of a railroad company should be large enough to pay returns on going value, good will, franchise value, and the like. Do you think the shippers of this country or any considerable number of men anywhere in this country are willing that freight rates shall be based upon that kind of a valuation? And yet we are told by the newspapers that Mr. Daniels, from New Jersey, because of the wish of the President, would be sent to Chicago to conduct the hearing and take testimony of the transportation companies and others on the application of the western roads for a 5 per cent increase.

I want to say to my friend from Ohio, when he states I am not submitting good and sound proof, that I venture the assertion that when the decision is filed it will be found that Mr.

Daniels is in favor of the Interstate Commerce Commission granting the increase petitioned for by the western railroads. In this respect everyone knows that Mr. Daniels only reflects the opinion of the President; that the views expressed by Mr. Daniels in the dissenting opinion referred to were also the views of the President. I have no doubt that under continued pressure from the White House the commission will grant the 5 per cent increase. Ah, yes; the President has found at once a "dignified and effective way to knock Mr. Bryan into a cocked hat." Never again can Mr. Bryan go throughout the State of Iowa and throughout the State of Nebraska and that western territory where he held such a tremendous political power and say that the Democratic Party, or at least the man that he made President of the United States, is in favor of a reduction in rates of the railways of the country. [Applause.] I think that evidence of Executive interference in this regard is almost conclusive.

Mr. FOSTER. Mr. Chairman, I sometimes think that my good friend from Iowa [Mr. Good], of whom I am fond, is so strongly partisan that he overleaps the bounds and becomes a little unfair to those with whom he may differ on account of some advantage that he imagines may come to his party.

I have a great respect for and confidence in the President of the United States, to whatever party he may belong. I do not believe that President Wilson is knowingly going to do anything except for the best interest of the people of the country. I believe he is an honest, conscientious, and sincere man. Now, the gentleman makes the charge upon the floor of this House that the President of the United States has influenced the Interstate Commerce Commission to raise railroad rates. He also goes further than that, and prophesies that through the influence of the President the Interstate Commerce Commission will raise the rates on the western roads. I do not know, nor does he, whether the rates will be raised in the western part of the United States or not. I do not know whether they ought to be raised or not; but I think we ought to be fair in these matters. It is true that we are partisans here, and that aisle in the center divides the two parties, but I submit that with all of it we ought to be fair as men, fair to the interests of this country and to the men who hold high office, and not get up here and loosely charge that the President of the United States is influencing the great Interstate Commerce Commission to carry out his will.

Mr. BLACKMON. Will the gentleman yield for a question?

Mr. FOSTER. I yield to the gentleman from Alabama.

Mr. BLACKMON. Does the gentleman think that any considerable number of people take the gentleman from Iowa seriously when he undertakes to make a charge of that kind against the President of the United States, even in the gentleman's own district?

Mr. FOSTER. I would not imagine so, because I imagine that in the district the gentleman has the honor to represent they understand the partisanship of their able Representative, and that he is doing it for partisan purposes; but I submit that, though we may be partisan, and that it is right that we should fight for our party and for the principles upon which we stand, but I submit that it is unfair for any man, for partisan purposes, to charge those things of which he has no proof, which he can not substantiate, and the gentleman in this case did not present any proof. Now, one word more and I am through.

Mr. GOOD. Will the gentleman yield?

Mr. FOSTER. No; I can not yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOSTER. Just one word more. The gentleman speaks of Mr. Bryan, the Secretary of State, and says that he has gone into the western country, among the people, and that they have gone in great numbers to hear him speak in political campaigns. As you know, Mr. Bryan has for 20 years, as the gentleman says, been politically killed almost every 30 days. Still he stands before the American people as a man who is incorruptible and who stands for their rights. [Applause on the Democratic side.] My friend from Iowa may endeavor to knock Mr. Bryan into a cocked hat every day if he likes, and still he will appear as a man who stands upon the side of the people of this country. [Applause on the Democratic side.] Long after other men may be forgotten, long after they shall be known only by the name upon the stone over the place where they rest, Mr. Bryan will be remembered by the American people for the good things he has done. [Applause.]

Mr. GOOD. Now, will the gentleman yield right there?

Mr. FOSTER. Yes.

Mr. GOOD. If Mr. Bryan is the great patriot and Democrat that the gentleman has said he is, why was it that in 1906 Woodrow Wilson refused to support him for the Presidency of the United States?

Mr. FOSTER. Mr. Bryan was not a candidate in 1906, and the gentleman ought to know that.

Mr. GOOD. I mean in 1896.

Mr. FOSTER. I am not talking of that now; it is not the question.

Mr. GOOD. Oh, no; of course you are not.

Mr. BARTLETT. How does the gentleman know that Mr. Wilson did not support Mr. Bryan in 1896?

Mr. FOSTER. That is another one of the gentleman's charges for which he furnishes no proof.

Mr. GOOD. It has been charged openly.

Mr. FOSTER. I hope the gentleman will not interrupt me.

Mr. GOOD. The gentleman has asked me a question. He wants an answer to it, does he not?

Mr. FOSTER. I will tell the gentleman when I get through, and he can answer it then. The gentleman has seen some rumor in the newspapers again, and imagines that what he sees there is absolutely correct, and he never looks at more than one side of a proposition.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOOD. Now will the gentleman yield?

Mr. FOSTER. I will ask for two minutes more. The gentleman wishes to ask me a question.

The CHAIRMAN. The gentleman asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. GOOD. I will point to the CONGRESSIONAL RECORD, to speeches made in the Senate by eminent Senators of the United States, charging that Mr. Wilson did not support Mr. Bryan for the Presidency in 1896. Will the gentleman produce a single speech to the contrary?

Mr. FOSTER. I am not making any charge, nor is that the question now.

Mr. GOOD. Will the gentleman produce a single speech or letter of Mr. Wilson, which he wrote, indorsing Mr. Bryan at that time?

Mr. ADAMSON. Will my friend from Illinois make peace and yield to me for a moment?

Mr. FOSTER. Yes.

Mr. ADAMSON. The gentleman from Iowa seems to be unhappy about the President's interference. Does not the gentleman from Illinois think that the interference which is troubling the gentleman so much is the President's interference with the plans and success of the Republican Party? [Applause and laughter on the Democratic side.]

Mr. FOSTER. There is no doubt about that.

Mr. BROWNING. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. FOSTER. No; I must decline to yield just now. I just want to say this in conclusion: In all fairness I say that it is so easy to criticize public men and take rumors that may float around against them here and there—

Mr. GORDON. In the newspapers.

Mr. FOSTER. And some article that may appear in some newspaper. Now, I submit to my friend from Iowa—I know that the gentleman, when he will lay aside his partisanship, intends to be fair. I believe that the gentleman wants to be fair; but he is so partisan that he finds it hard to get his mind around where he can be fair, and I suggest to him, and to every other man in this House, that we ought to be just to public men and not always be criticizing them upon some little rumor that may be afloat in the country. [Applause on the Democratic side.]

Mr. MOSS of West Virginia. Mr. Chairman, the reason why I do not believe that the gentleman from Iowa [Mr. Good] is correct in making the charge that the President of the United States influenced the Interstate Commerce Commission to grant the 5 per cent increase of rates is solely because the Interstate Commerce Commission would not permit the application of such kind of influence. I believe that the President of the United States, with all due respect, is the greatest dictator that we have had in the White House for 50 years, and possibly, not being a judge or a lawyer, he might not fully realize the impropriety of trying to influence a judicial body like the Interstate Commerce Commission. But, Mr. Chairman, if he did try, I feel very sure that the Interstate Commerce Commission, composed as it is of men of the highest type and character, realizing their duty as judges to decide the case solely upon the evidence, would not for a moment let even the President of the United States influence it in its decisions.

Mr. Chairman, I am getting tired of this thing of accusing men, situated as the members of the Interstate Commerce Commission are as judicial officers, of being influenced by outside

considerations in reaching a conclusion. When that commission first refused to grant the increase it suggested to the railroads certain economies that they could practice. It wanted to test the question of whether or not in that way the railroads could not obtain the revenues they were seeking. It was tested for months, and it was found that these economies did not produce the expected result. Meanwhile the earnings of the railroads had steadily declined, and conditions had become almost critical, and so, after careful consideration, and having come to the conclusion that the best interests of the country demanded it and the railroads sorely needed it, the Interstate Commerce Commission did grant an increase of 5 per cent to the railroads; and I believe they had ample evidence on which to base that conclusion, though other men considering the same evidence might have reached a different conclusion.

Mr. Chairman, I do not believe there are any large number of shippers in this country who would attribute unworthy motives or improper influences to the Interstate Commerce Commission for its action in that case.

Now, some gentlemen refer to the fact in criticism that in valuing these railroads to ascertain proper earnings on the investment the franchise or good will is considered.

Mr. Chairman, in some States in this Union the franchise is considered as an asset of the railroads for the purpose of taxation. In West Virginia and other States, when that question was submitted to the courts, the franchise was considered a very valuable asset for taxation purposes. If this was correct, then it would not be incorrect to consider the value of the franchise in determining reasonable earnings on the investment.

Mr. Chairman, I believe that the time is coming in this country when, without prejudice and without this spirit of hostility which seems to prevail in some quarters, we ought to give the railroads and the shippers of this country equal justice, and not merely presume, simply because they decide a question in a way that does not suit some gentlemen, that a great commission, composed as it is of great, big men, who are trying to do their duty, are influenced by unworthy motives. I believe the Interstate Commerce Commission has one of the hardest tasks and some of the most difficult duties to perform of any body of men in this great country. If any critic will even start to study the transportation problem and get even a little insight into it, he will see the magnitude of the difficulties that arise in fixing rates. It is one of the most intricate problems that could possibly be brought before any commission or any court; and I believe that when it comes to criticism of the Interstate Commerce Commission, we ought at least to try to be fair, and unless we know the facts and unless we know the evidence we should not condemn it. [Applause.]

Mr. CRAMTON. Mr. Chairman, the pending amendment proposes to strike out the entire appropriation for this branch of the work of the Interstate Commerce Commission. The gentleman who has offered the amendment has avowed his purpose solely that of economy. At the same time he has admitted that the work in question is desirable, that it should be carried on, but insists that on the score of economy it ought at this time, at any rate, to be suspended.

I can agree with the gentleman as to the need of economy at present in our Government expenditures, but I do not believe, and I do not believe the gentleman from Massachusetts would urge, that we have yet reached the point where we should vote against appropriations simply and solely on the plea of economy, regardless of the merit of the particular item under consideration.

The gentleman himself has not followed that course. I noticed the other day when we had before us the naval appropriation bill the gentleman from Massachusetts, who then, no doubt, knew as well as he does to-day the serious financial condition of the country, found it possible to support a proposition for two battleships, notwithstanding the attempt made by the leader of the majority [Mr. UNDERWOOD] to secure the commitment of the bill in order to cut down the provision from two battleships to one and save an expenditure of \$15,000,000 to \$20,000,000. Notwithstanding we are hard up, he was able to see where we could get \$15,000,000 or \$20,000,000 for the purpose which to him seemed meritorious. Here is a purpose which we may easily infer does not seem so meritorious to him, and hence, with his economy plea, he would cut out \$3,000,000 and put an end to the work.

To my mind this is not an abstract proposition, as to work that should be done some time in the uncertain future. It is a concrete proposition as to work which needs to be done and needs to be done as soon as possible. If I could have my way, I would like to have the appropriation \$6,000,000 instead of \$3,000,000, because I believe the work should be expedited, and I have had some experience in connection with this subject which leads me to that belief.

In the decision of the Interstate Commerce Commission in the Five Per Cent case, about which we have heard so much the past hour, my complaint as to that decision—and I would not comment as to the decision itself, as to the question which was before the commission, because that should stand for itself—my complaint is as to the action of the Interstate Commerce Commission in going out of its way, going away from the record and evidence in the case, and putting in obiter dicta which have resulted in the most active lobby on the part of the railroads in this country that we have ever seen for an increase of rates all over the country. That is a result not of a decision of the commission based on evidence, but of obiter dicta to the effect that the railroads might well increase their passenger rates.

And as a result of that, in the State of Michigan—just as is the case in every State, I presume—there is an active lobby on the part of the railroads before the legislature, before business men's associations, and everywhere for an increase in passenger rates, and they bottom their case on this piece of dicta from the Interstate Commerce Commission. I submit, Mr. Chairman, that if we are to suffer because of the dicta of the commission we might at least have the benefit of the evidence which the proposed valuation purposes to bring us. I understand the commission has already taken up under this law—or it is supposed to have done so—the work of making the physical valuation and financial investigation of the Pere Marquette Railroad, which is largely in the State of Michigan. The commission is supposed to have begun that work. I hope it will be completed some time, although the speed with which it is going forward is not attracting any wonderment. Even though it be progressing but slowly, we do not want it stopped or suspended for a few years. Some time it may be completed. In the meantime, spurred on by the dicta of the Interstate Commerce Commission, and quoting it with relish, the receivers of the Pere Marquette Railroad are before the Legislature of the State of Michigan with a formal petition asking for a repeal of our 2 cent rate law and an opportunity to increase their rates. With all of their facilities for furnishing or concealing information to the people of the State, they have under way a remarkable propaganda, which is ex parte and stands uncontradicted. It is wonderful how much more information they can give when they want to than they can when they do not want to.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, two years ago, before a committee of the Legislature of the State of Michigan, the Pere Marquette Railroad Co. was asked to submit figures showing the actual cost of carrying passengers, and they professed, which was no doubt the truth, their inability to do so, their inability to figure out that proposition. Now, however, they come in voluntarily with their petition to the legislature, and they can figure that all out for you to the fraction of a cent and be sure that they are right, and having done that they read to the legislature and the people the obiter dicta of the Interstate Commerce Commission. They ask the legislature to act along the lines so gratuitously suggested by the Interstate Commerce Commission.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CAMPBELL. How long has that road been in the hands of a receiver?

Mr. CRAMTON. Two or three years is my recollection.

Mr. CAMPBELL. What was the occasion of the appointment of the receivers?

Mr. CRAMTON. The immediate occasion was the fact that they had gone to the railroad commission of the State of Michigan for an authorization of bonds, and secured an authorization of a loan of \$8,000,000 to be used for certain purposes. The road used the money, in part, for other purposes, as later developed. Later on they again went to the same commission for permission to issue another lot of bonds, and those facts appearing, they were not able to get an authorization, and the receivership followed. That was only the immediate cause, and back of that was the fact that they had been piling up millions and millions of dollars of obligations with no increase in equipment or other facilities for service, until to-day they have \$110,000,000 of obligations, whereas, under the physical valuation of a number of years ago, they were valued at \$29,000,000,

approximately, and are now being taxed supposedly on a cash value of twenty-six and one-half million dollars.

That a decrease in rates of fare must result necessarily in a corresponding decrease in gross revenues is not true, and before the commission declares itself on such an important proposition the actual effect of such decreased rates on revenues should be thoroughly investigated by them. I am inserting here one piece of significant evidence bearing on this question. It is a statement of the Michigan Railroad Commission, issued February 28, 1908, as to the effect of the Michigan 2-cent fare law, which took effect September 28, 1907, on the gross revenues of the roads. It follows:

CIRCULAR NO. 7.

EARNINGS OF MICHIGAN ROADS UNDER THE 2-CENT-RATE LAW.

MICHIGAN RAILROAD COMMISSION,
Lansing, Mich., February 28, 1908.

In accordance with the statute the various railroads of the State have filed with the Michigan Railroad Commission statements showing their gross earnings for October, November, and December, 1907. The 2-cent law having taken effect September 28, 1907, these figures are the first available in consideration of the effect of the 2-cent law on the earnings of the roads. In advocating the passage of the 2-cent law before the last session of the legislature it was the contention of Gov. Warner and Commissioner of Railroads Glasgow that the passage of such a law would not materially affect the gross earnings of the companies by reason of the increase in travel under the lower rate. The commission are very glad to be able to say to the people of Michigan that the facts at hand go very far to sustain this contention.

We have prepared a tabulation of these quarterly earning statements which is worthy of careful consideration. In this tabulation we have compared the passenger and freight earnings of the months referred to in 1907 with the same months in 1906 and do not hesitate to say that such comparison vindicates the Michigan 2-cent law and demonstrates that, while it is of the greatest benefit to the people of the State, it is not injurious or unjust to the railroads. It is to be remembered that during a portion of the months referred to in 1907 the business of the railroads was very seriously reduced by the financial scare, and for this reason in comparing the earnings of 1907 with those of 1906 we are comparing the earnings of the 2-cent law under times of considerable financial depression with the earnings under the old law in abnormally prosperous times. It is also to be remembered that the test during the three months referred to has not been an entirely fair test owing to the fact that many of the roads have entirely, or to a great extent, cut out excursions, which in previous years they have been eager to conduct and have been supposed to do so at a profit. Had all profitable excursion business been sought for by all railroads under the 2-cent law the same as before, we believe the showing would have been even more strongly in favor of the law.

In the tabulation we first considered those roads which are now on a 2-cent basis, namely, the Ann Arbor, the Cincinnati Northern, the Big Four, the Grand Rapids & Indiana, the Grand Trunk, the Lake Shore & Michigan Southern, the Michigan Central, the Pere Marquette, and the Wabash. Considering these roads altogether we find that their aggregate passenger earnings for the months named in 1907 exceed the earnings of same months in 1906 by \$620.84, a very small portion of 1 per cent increase. At the same time their freight earnings show a gain of \$202,417.98, or a gain of 2.6 per cent. While the passenger earnings were affected by the 2-cent law the freight earnings, of course, were not; but notwithstanding this it will be observed that the passenger earnings have kept practically up with the freight earnings. None of the principal roads above mentioned show any serious reduction which can be traced to the 2-cent law. The Ann Arbor shows a loss in passenger earnings of 6.4 per cent, but they also show a greater loss in freight earnings, namely, 8 per cent. The Grand Rapids & Indiana shows a decrease of 5.9 per cent in passenger earnings and a gain of 2.5 per cent in freight earnings. The Pere Marquette, a loss of 4 per cent in passenger earnings, with a gain of 11 per cent in freight earnings. It is safe to say that had either of these roads followed their old custom in the matter of pushing for passenger business by profitable excursions they would have shown a gain instead of a decrease in their passenger business notwithstanding the hard times. The Grand Trunk shows an increase in their passenger business of 6.9 per cent under the operation of the new law, and a gain of 13.7 per cent in their freight business. The Lake Shore & Michigan Southern shows a gain of 2.3 per cent in their passenger business, and a decrease of 12.8 per cent in their freight business. The Michigan Central shows a gain of 3.3 per cent in their passenger business, while they have a decrease of 2.9 per cent in their freight business. The Wabash shows a loss of 11.6 per cent for the three months in 1907 as compared with 1906, but inasmuch as the road was on a 2-cent basis before the recent 2-cent law was passed that act can not be charged with the falling off in their gross earnings. Their freight earnings show an increase of two-fifths of 1 per cent. The Big Four, with a very small mileage in this State, shows the most startling decrease in passenger revenue of 52.9 per cent. This is explained by electric competition. The Cincinnati Northern, with also a small mileage in this State, shows a serious decrease of 19.3 per cent.

We also have figures concerning the numerous smaller roads in the State which were not affected by the 2-cent law and continued to charge 3 cents. Their figures are not much different from the figures shown by the 2-cent roads; some of them show an increase and some a loss. The principal ones are the Detroit & Mackinac, with 3 per cent of gain on passenger earnings and 7.4 per cent of loss on freight earnings, and the Pontiac, Oxford & Northern, with 1 per cent gain on passenger earnings and 3 per cent loss on freight. The upper peninsula roads we have also compiled, and notwithstanding most of these formerly charged 4 cents and now are limited to 3 cents it is to be noted that in the aggregate they have a gain of \$13,000 in passenger earnings over the same period in 1906.

We commend these figures to the careful consideration not only of those in charge of the Michigan roads but to the general public and are confident that further operation under the 2-cent law will more clearly demonstrate its fairness and practicability.

CASSIUS L. GLASGOW, Chairman,
GEORGE W. DICKINSON,
JAMES SCULLY,

Commissioners.

But, Mr. Chairman, my appeal is that now that this agitation has been stirred up, and while this demand for an increase of rates is being made at the doors of every legislature in this country by reason of this dicta of the commission, we ought at any rate to be able to let the commission go ahead and get the evidence, not only as to the physical valuation, but in respect to the financial history of the roads which is also provided for in the same law.

Mr. Chairman, there seem to be some gentlemen who believe this is a period of reaction and conservatism, and that anything to-day that can be done to saddle on the people of the country all of this load of overcapitalization and frenzied finance the people will stand for, but, to my mind, that is a great mistake, and it is the most mistaken position that any party or person can take, and I for one on this side want it understood that I do not believe that the gentleman offering this amendment represents this side of the House or that we favor any halt in this work. [Applause.]

Mr. BARTLETT. Mr. Chairman, we may as well realize what we propose to do. Like a great deal of legislation that has been adopted in the past few years, this legislation providing for the physical valuation of railroads was enacted under whip and spur, and it was done under arguments that are old and not new. It was the same argument, the same illustration, that Antony used over the dead body of Cæsar—simply holding up the bloody garments and saying, "Look at these, look at the rents in the garments, and where they were made," so that the fury of the Roman mob was changed in one instant from being against Antony to being in favor of Antony and against Brutus. So we rush through this bill to provide for the physical valuation of railroads. I am compelled to say, in my judgment, after due consideration of where it will lead and what it will cost, that we, too, held up before the House and before the people the argument, "Look what the railroads are doing to the people in respect to the charges that are made," and we made them believe that this would be a panacea for all purposes, to properly regulate the charges of railroads for transportation of freight and passengers.

But, Mr. Chairman, it is like all such undigested and hasty legislation, and we have come to realize that we now have a white elephant on our hands. At the time it was being considered before the Committee on Interstate and Foreign Commerce, of which I was a member, the statement was made that it would cost probably \$3,000,000 and take a couple of years, and not over three, to finish. Some one put it up as high as five years, and now we have already expended \$2,400,000 and the ground has not been scratched, nor will we get through with it for some time to come. Commissioner Prouty stated that it is being done at the rate of 2,000 miles of railroad a month, which is as much as we can possibly do, and there are 250,000 miles of single-track railroads to be valued, and in addition 1 mile of sidetrack and additional track for every mile of single track.

In addition to the sidetracks and spur tracks and such things, it will amount to nearly 300,000 miles, and if we have 2,000 miles valued every month, which is the highest estimate, we are to have 30 years continuation of this valuation, at an expenditure of from two to three million dollars a year.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. LENROOT. Did not Commissioner Prouty testify before the gentleman's committee that with an appropriation of three and a half million per year the whole work could be completed in four years?

Mr. BARTLETT. Four years from next July.

Mr. LENROOT. Four years from next July.

Mr. BARTLETT. But we found out that these estimates and these expectations have all gone for naught. We have started in on this examination of the physical valuation for railroads with the idea it was going to cost only \$5,000,000 and not take over three years.

Mr. MADDEN. Did I understand the gentleman from Georgia to say that they could value 2,000 miles a month?

Mr. BARTLETT. Not over that, I said.

Mr. MADDEN. That would only take one year to value all the railroads in the United States.

Mr. BARTLETT. It would be 24,000 miles.

Mr. MADDEN. No; 240,000 miles.

Mr. BARTLETT. Here is what he says, "24,000 miles a year." The gentleman is way off in his calculation.

Mr. Sisson. Will the gentleman yield?

Mr. BARTLETT. I do.

Mr. Sisson. In response to the question asked by the gentleman from Wisconsin [Mr. LENROOT] a moment ago, Judge

Prouty did not state positively this work could be done in four years.

Mr. BARTLETT. Here is what he said.

Mr. Sisson. Judge Prouty said that they hoped to be able to do it; and when you got right down to the question as to whether or not it could be completed in that time Judge Prouty was always very ready to hedge the question.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. I have the testimony, which I will read.

Mr. LENROOT. Read page 324 and you will find it was positive.

Mr. BARTLETT (reading)—

Now, we are spending at the rate of \$2,000,000 a year. Two million dollars a year, with perhaps some slight addition, because our land work is not fully developed yet, will carry all parts of the work along at the same pace; that is to say, would cover approximately from 20,000 to 25,000 miles of railroad a year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia. [After a pause.] The Chair hears none.

Mr. BARTLETT (reading)—

Of that \$2,000,000, over \$500,000 is what might be termed overhead expense, and that expense would not be increased if you doubled the number of our party.

He seems to have calculated at the rate of 2,000 miles a month, or 25,000 miles a year. My friend from Illinois has got his arithmetic a little different. He further says:

And it has always been my belief that we should conduct this work at the rate of about 50,000 a year; that is to say, we should practically clean up the work between July 1 next and July 1 four years later.

Mr. Sisson. Will the gentleman yield for one more interruption?

Mr. BARTLETT. I will.

Mr. Sisson. You will find that Judge Prouty statement is always based upon conditions that if they can do certain things, but if you will ask Judge Prouty about it you will find that he has at no time made any definite positive statement as to when this work will be completed.

Mr. LENROOT. Upon the basis of 2,000 miles a month it is upon a basis of an appropriation of \$1,900,000 for each year, which was the last bill.

Mr. BARTLETT. Two million dollars.

Mr. LENROOT. One hundred thousand went to a deficiency.

Mr. BARTLETT. I have just read his testimony.

Mr. LENROOT. It would be nearly 4,000 miles a month on the appropriation they ask for.

Mr. BARTLETT. He said, "That expense would not be increased if you doubled the number of our parties, and it has always been my belief that we should conduct this work at the rate of about 50,000 a year." Now, the gentleman wanted to call my attention to some page.

Mr. GILLET. Page 324. Mr. GILLET asked him:

You think you can finish the work in four years at that rate?

Mr. Prouty. Yes, sir.

Mr. BARTLETT. Oh, yes. Judge Prouty thought this work was so easy that he would spend about three months in running for Senator up in Vermont.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. Certainly, if he could run for Senator or some other political office and leave the work for his colleagues to do, it would not be done so fast.

Mr. LEVY. Commissioner Prouty previous to this commission being appointed never made a statement but he said it would cost a great deal less.

Mr. BARTLETT. Yes; he did. I do not propose to enter into any political discussion that is going on here. If we are going to carry on this work we might as well realize now what we are proposing to do. We are now in the second year and we are up against the proposition to do the work, and as yet we have realized no benefit, in my judgment, and the ultimate benefits—considerable benefits—are not yet in sight, because when the work is all over new conditions may arise, and new valuations will probably have to be made. We might as well realize that when we appropriate this \$3,000,000 now we are liable to be called on before this Congress adjourns, or when another one meets, for a deficiency of \$400,000, and if we turn this work over to those gentlemen to carry out this law, not knowing how long it would last, nor how much it will cost, and not knowing what the benefits are, if any, to the people of the United States—

Mr. GORDON. Does the gentleman believe that the Interstate Commerce Commission can determine even approximately what a reasonable rate is without knowing this very thing that this law was passed to be done?

Mr. BARTLETT. Well, when a charge is being made unreasonably by the railroads it is their business to demonstrate to the Interstate Commerce Commission, and the Interstate Commerce Commission decides, makes its decision, and rejects the charge as being confiscatory, then they can determine through the courts whether the rate is unreasonable, and the burden is upon the railroad to do so.

And referring again to the decision that was quoted by my friend from Wisconsin [Mr. COOPER], it was held in that case that a corporation in making a demand for rates can not ask that their watered stock or their overissues of bonds, which do not represent actual values, shall be considered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BARTLETT. It took no physical valuation to determine that, because the gentleman from Wisconsin [Mr. COOPER] has called your attention to the leading decision upon that question, and in that very decision the Supreme Court, by Judge Harlan, said:

The public can not properly be subjected to unreasonable rates in order simply that stockholders may earn dividends. The legislature has the authority in every case where its power has not been restrained by contract to proceed upon the ground that the public may not rightfully be required to submit to unreasonable exactions for the use of a public highway established and maintained under legislative authority. If a corporation can not maintain such a highway and earn dividends for stockholders it is a misfortune for it and them, which the Constitution does not require to be remedied by imposing unjust burdens upon the public.

So that we have already the law of the land finally settled in that case, that the railroads, when they appeal from a decision of the Interstate Commerce Commission, can not impose additional burdens and taxes upon the people for the carriage of their freight and passengers simply because they have swollen in amount their stocks and bonds. The burden is upon them.

Mr. Chairman, when I voted for the measure providing for the physical valuation of the railroads I was anxious to relieve the people; but now upon mature reflection and in the light of what I have learned since then, I believe now that this measure will not result in that great measure of relief, and be the panacea for all the alleged burdens in the carriage of freight and passengers which it was supposed it would be. I believe that the act of 1910, which we passed through this House on a bill reported from the Interstate and Foreign Commerce Committee, headed by the gentleman from Illinois [Mr. MANN], now the leader of the minority, was a measure which gave to the people all the relief that they can obtain or that they ought to expect to obtain, when we provided by law that the decision of the Interstate Commerce Commission upon a question of fact is final and can not be appealed from.

Mr. GORDON. That did not help the people much in the 5 per cent advance cases, did it?

Mr. BARTLETT. Oh, again we have this great hurrah about the 5 per cent increase. Mr. Chairman, I do not own a dollar of railroad stocks or bonds, nor am I in any way connected with any. I aided with all the power, energy, and force that I had in passing the act of 1906, and in passing the act of 1910 to amend the interstate-commerce act. A prominent statesman of the Democratic Party, Judge Reagan, of Texas, was the first Member of this House to introduce, away back in 1887, and to secure the passage in 1887 of the law which sought to give relief to the people for unjust exactions at the hands of the railroads, and that law was passed against the opposition of the Republicans then in the House, such men as Hepburn and Cannon; but times have changed. The gentleman from Illinois [Mr. MANN] and his Democratic colleagues and some of his Republican colleagues upon that committee brought before this House a bill which amended that act and gave relief to the people. I had some part in my humble way in aiding in the enactment of that legislation, and I am sincere to say that, in my judgment, considering the temper of Congress and of the Members of Congress now when we reflect upon the passage of the valuation law, it was not necessary and will not be of any substantial or lasting benefit to the people.

Mr. COOPER. Will the gentleman permit a question?

Mr. BARTLETT. I always yield to my friend from Wisconsin.

Mr. COOPER. The Supreme Court of the United States, in Smyth against Ames, which I read, say that a knowledge of the value of the property of a railroad is absolutely necessary to the fixing of rates.

Mr. BARTLETT. Oh, yes.

Mr. COOPER. And we have not that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask three minutes more, and then I will have done.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. BARTLETT. Oh, yes; and since that decision these laws to which I have called attention have been enacted. Before that enactment of 1910 the railroad could appeal to the courts to suspend or enjoin any order of the commission, whether it related to law or to facts.

Mr. COOPER. Mr. Chairman, will the gentleman permit another interruption right there on that point?

Mr. BARTLETT. I hesitate to, but I will yield to my friend.

Mr. COOPER. It is true that we have passed a law since then; but we have not given the court or the commission the information upon which they can base a decision, and the Supreme Court said so in Smyth against Ames.

Mr. BARTLETT. I am familiar with the case of Smyth against Ames. I have read it time and again and have it before me now; and I have undertaken to impress upon the House the fact that the position I occupy upon this matter is that when the railroads attack an order of the Interstate Commerce Commission they must show that it is not based upon proper values.

The burden is upon them, and they can not, as I have shown, put into that valuation the fictitious or watered values of their stocks and bonds. The railroad company must demonstrate that the decision of the Interstate Commerce Commission is unreasonable. The burden is upon them now, and this additional expense upon the Government will amount to nothing, even at the expiration of 10 or 15 years. Whoever or whatever may be responsible for the apparent and real expected deficit in the Treasury, this is a luxury and not a necessity. It is a luxury which we might indulge in if times were different.

I do not know that I am in favor of discontinuing the work altogether. We have numbers of high-priced and high-paid men in this work. It is not of such urgent, immediate necessity as to require the continuation of the expenditure of this large amount of money to carry on this work. When we entered into it we did not realize what we were about, in my judgment. It can be suspended, not abandoned altogether, until a more propitious time and season, and I do not think the people will be injured or hurt thereby.

One word in reference to the increase of rate, Mr. Chairman. Like the gentleman from West Virginia [Mr. Moss], I believe that the men on the Interstate Commerce Commission who devote their time and attention to the consideration of this work have at heart the best interests of the people. I believe the increase of rates decided by them was decided on the merits of the case and met the demand of a vast majority of the people of the country, the consumers and shippers, and met with the approval of all men who think justly and properly about it. [Applause.]

Mr. FITZGERALD. Mr. Chairman, I want to see if we can not agree upon the remainder of the time to be devoted to this proposition.

Mr. MONDELL. I want to say to the gentleman I would like 15 minutes. The gentleman from Georgia has spoken 18 minutes.

Mr. FITZGERALD. I hope the gentleman will not ask for that much time. I know it is a very important matter, but we do not want to devote too much time to it.

Mr. MANN. Gentlemen on this side are asking for over an hour.

Mr. FITZGERALD. We have already debated it an hour and 10 minutes.

The CHAIRMAN. If no proposition is submitted, the Chair will recognize the gentleman from Wyoming.

Mr. FITZGERALD. I think we ought to have some agreement as to time on this item.

Mr. MANN. I think so, too, or otherwise we will debate it all the afternoon.

Mr. FITZGERALD. Mr. Chairman, I suggest that all debate on this paragraph and amendment thereto shall be closed in one hour.

Mr. LEVY. I have another amendment.

Mr. MANN. I think we ought to have a little more time. We will proceed very rapidly afterwards on the bill.

Mr. FITZGERALD. Yes; it looks like it. [Laughter.]

Mr. MANN. I think we ought to reach an agreement before we proceed.

Mr. FITZGERALD. At the first of it nobody wanted to talk about it.

Mr. MANN. The longer we run, the more Members want to talk.

Mr. FITZGERALD. I suggest that all debate close in one hour and a half, and let the recognition be by the Chair.

Mr. MANN. Does the gentleman object to my controlling one-half of the time on this side? That would be distributed proportionately to gentlemen who have asked for it.

Mr. SHERLEY. Mr. Chairman, I suggest that the debate ought to be divided among Members in favor of and opposed to the proposition, and the only way is to let the Chair recognize Members under the regular rules that are applicable in Committee of the Whole, preference going to members of the committee, and preference given to those opposed and in favor of alternately.

Mr. MANN. I take it that the gentleman would not object to some one controlling the time over here.

Mr. SHERLEY. Not if it did not result in having the debate lopsided. The division is not a party division; it is on a proposition touching a particular matter.

The CHAIRMAN. The Chair will submit the request of the gentleman from New York, that all debate on the pending amendment and amendments thereto close in 1 hour and 30 minutes. Is there objection?

Mr. MONDELL. Reserving the right to object, I want to say that I would like to have 10 minutes.

Mr. SHERLEY. Mr. Chairman, I ask that the motion be put and either objected to or not, and then if gentlemen want additional time the committee can determine it.

Mr. MONDELL. The gentleman from Kentucky knows that if we agree upon a limitation of time, with no arrangement as to the control, the Chair will not be justified in giving anyone more than five minutes.

Mr. SHERLEY. I do not agree to that proposition.

Mr. FITZGERALD. I will modify my request, Mr. Chairman, and make it 1 hour and 40 minutes, and that will give the gentleman from Wyoming 10 minutes.

Mr. LEVY. I call the attention of the Chair to the fact that I have another amendment.

The CHAIRMAN. The gentleman's amendment is not pending.

Mr. LEVY. But I want to offer it, and this is to shut off amendments.

The CHAIRMAN. The request of the gentleman from New York has nothing to do with shutting off amendments.

Mr. LEVY. But I want five minutes on my amendment.

Mr. FITZGERALD. Well, the gentleman can take it and talk on it.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate on this paragraph and all amendments thereto shall close in 1 hour and 40 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Now, Mr. Chairman, I ask unanimous consent that I may control one-half the time.

The CHAIRMAN. The gentleman from Illinois asks that he may control one-half the time.

Mr. FITZGERALD. I will take the other half.

Mr. COOPER. Mr. Chairman, it does not seem to me that the time ought to be controlled with reference to the center aisle, inasmuch as it has been stated by the gentleman from Kentucky that it is not a party question. It ought to be divided between those who favor and those who do not.

The CHAIRMAN. The gentleman from New York makes the further request that one half the time be controlled by the gentleman from Illinois and the other half be controlled by himself. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I am not in favor of the amendment offered by the gentleman from Massachusetts, and yet in the present state of the public revenues I realize how any man who believes in keeping the expenditures within our income if possible may consider himself justified in attempting to cut down or entirely eliminate an item of this kind on the theory that this work might, under these circumstances, wait. I voted for the bill for the physical valuation of railways, and I think I voted for it with my eyes wide open. I did not imagine, as some Members apparently did, that it would cost not over three or four million dollars. I believed then that it would cost at least ten, and possibly twenty, million dollars.

Judge Prouty now believes it will cost anywhere from \$12,000,000 to \$20,000,000; even more, if a literal interpretation of the statute is to be followed. Whether or not the work, when done, will be worth that much is of course a matter of opinion. That it will be valuable, of course, there is no reasonable doubt, because the physical valuation of the property is one

of the factors to be taken into consideration in fixing rates. It is not the controlling factor nor the most important factor. A rather more important factor is that of the obligations of the property, and a more important question than physical valuation is that which is now being neglected by the Democratic Party, namely, legislation for the control of the issuance by common carriers of bonds and other obligations. Until we have legislation upon that subject, physical valuation of properties will be of comparatively little value. But this valuation is a factor in rate fixing.

Mr. Chairman, without waiting for this physical valuation, however, the Interstate Commerce Commission has recently increased by approximately 5 per cent the railroad rates in a large area in the eastern portion of the country. I think it is probably true that it is impossible to prove that the President of the United States in any way influenced that action by the Interstate Commerce Commission. The very regrettable feature of the situation, however, is that the President in this case is unlike Cæsar's wife. He is not above suspicion. It is a notorious fact that after the first and adverse decision of the Interstate Commerce Commission on the subject of an increase of rates the papers favorable to an increase in rates the country over gave everybody to understand that the administration, the President, favored an increase. Editorials and news items to that effect were published in every part and section of the country, and we heard no denial from anyone anywhere of that proposition that the President did favor an increase. In due course of time the increase came. But the gentleman from West Virginia [Mr. Moss] has conclusively proved the proposition to his satisfaction and said so in answer to statements made by the gentleman from Iowa [Mr. Good].

Mr. LEVY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Mr. Chairman, I can not yield at this time. The gentleman from West Virginia [Mr. Moss] says that it is impossible that the Interstate Commerce Commission was influenced by the President, that he knows the members of that commission to be high-minded and honorable gentlemen, gentlemen who have too high a regard for their duties and responsibilities to allow the President of the United States to influence them. I believe they are high-minded and honorable gentlemen, but I decline to believe that they are any more high-minded and honorable, or that they have any higher regard for their responsibilities and duties than have the Representatives of the sovereign States of this Union under this Dome, or the Representatives of the people whose seats are on this floor. And yet we have seen with our own eyes and of recent date the influence of the Executive upon legislation and on the action of some of these high-minded and honorable Representatives of the States and of the people. It is not proper to quote from what occurred in another legislative body, except in a general way, but if gentlemen want to know what certain gentlemen, representatives of certain States, in the Senate think of Executive interference, let them read the CONGRESSIONAL RECORD of yesterday.

The charge was hurled in another body by a Democrat of high estate that Members of the legislative branch are absolutely subservient to the dictation and domination of Executive authority; that legislation is being urged that has little real, bona fide, actual support anywhere except in the Executive Mansion; and that that legislation, if placed upon the statute books, would be so placed under coercion and dictation of the President of the United States. Mr. Chairman, I refuse to believe that the Interstate Commerce Commission is composed of men more immune from Executive influence, more high minded, men who to a greater extent realize their duties and responsibilities, than do the Representatives of the States and the people of the Union. We have seen very recently the effect of Executive influence in this House.

Just a few days ago a bill was brought into this body on the question of passing it over the President's veto, and the Democratic side—some 11 gentlemen, if I recollect correctly—discovered that in the interval between their last vote, some 30 days before, and the time they were called upon to vote upon the proposition after the presidential veto their minds had changed upon this important question, and whereas they felt 30 days before that it was essential that there should be an educational qualification for the admission of aliens, 30 days thereafter they came to the conclusion that no such qualification was necessary or should be provided. Some time ago we had under consideration a question that a great party had passed upon in its platform and on which it had appealed to the people from every stump and rostrum in a campaign, but the presidential influence was effective in having that plank utterly stripped from the party platform and the mandate of

the party repudiated and the position of more than half of the gentlemen on the other side of the Chamber reversed.

Mr. Chairman, in the face of this state of affairs, with Executive influence so apparent that he who runs may read and all the world may know, I refuse to believe that the Interstate Commerce Commission is necessarily any more immune from influence from the White House than are the honorable gentlemen who are my colleagues here and the gentlemen who represent the States of the Union at the other end of the Capitol. Never in all of the history of the Republic have we seen anything like it. What is the meat that this, our Executive, feeds upon that he feels that he is justified in stopping the wheels of legislation, in preventing the passage of supply bills, in preventing his party from carrying out its legislative pledges by the order and demand from the White House that certain legislation, new, novel, and dangerous, urged by a not considerable number of our people, never pledged or approved by any party on earth, shall be written on the statute books, whether Congress favor or approve it or no. [Applause.]

The CHAIRMAN (Mr. HOWARD in the chair). The time of the gentleman from Wyoming has expired.

Mr. FITZGERALD. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Chairman, I am confident that the predictions of the gentleman from Idaho [Mr. MONDELL] concerning the interference of the President in the proceedings of the Interstate Commerce Commission on the rate question are about as far afield as the prediction of the gentleman from Iowa [Mr. Good] about the political death of William J. Bryan. For 16 years every year leading Republicans have declared that he has met his political death. If he has, one thing is certain—he has proven to be a very lively corpse, and that he has come forth from each political death stronger than ever in the esteem and affectionate regard of the people of this great country. And he is stronger to-day with the American people than he has ever been. As the years go by the people become attached stronger to him for the good and great work he is doing in their behalf.

I hold no brief to speak for him. He needs no defense, as his great public services have so endeared him to the American people that attacks, such as just made by the gentleman from Iowa [Mr. Good], have but little effect upon the great mass of the people who appreciate his great work, clean, pure, and noble life. Let me remind gentlemen who are disposed to criticize this great man and the splendid services he has rendered his country and the people, that all their assaults upon him are made in vain, and will find but little indorsement among the people of this great country. He has earned the gratitude of the people for his faithful devotion to their cause, and for his great work in their behalf they refuse to be alienated from him. They believe in him as they believe in no other man in this country; they recognize him as one whom they can safely trust, and confidently rely on him as the champion of their cause. They know he has never abused their confidence or betrayed their best interests. In the great crisis through which this country has been passing for the last year the people have depended upon him more than any other person to preserve peace, prevent this country from being plunged into war, and he has met their expectations, for which the people, irrespective of party, owe him a lasting debt of gratitude. From every fireside in this great country go out the thanks of fathers and mothers that this country had at this time in the great office of Secretary of State William J. Bryan to preserve peace and prevent the slaughter of our best manhood. It matters not what gentleman may say in criticizing him or his great work, it will fall upon unappreciative ears, and the people who know the benefit of what he has done in behalf of the welfare of this great country will resent it. Long after the names of his carping critics have been forgotten, the name of William J. Bryan will be fresh in the minds of the people as one of the greatest names that will adorn American history and American statesmanship. His rank will be of the highest and his fame enduring.

Woodrow Wilson, as President of these United States, needs no defense from any Member on this floor, because the American people understand and appreciate his great work to emancipate them from the exploitation of special privileges which have dominated the legislation of this country under Republican administrations. The people well know throughout this Republic the high and laudable purpose which animates his course, and they commend him for his courage and tenacity in standing as he does for their best interests. Monopoly is now making a desperate effort to defeat his purpose, but the people understand what inspires their desperate efforts, and

will align themselves on his side and assist him in his good work. They know on him they can rely for relief from the burdens which have been imposed and which impositions are attempted to be continued to the great detriment of the producing and consuming masses. They will know these wrongs against them are intolerable to him, and he is using his great power to eliminate them, and because of this fact he has incurred the enmity of the special-privilege class, which is arraying all the power it can summon to defeat his purpose, but its efforts will be in vain. He has the support in his great work of the masses of this country, who recognize in him a leader who will not surrender at the behest of the emissaries of personal privilege. The people will assist him in his efforts to conquer the forces of monopoly in this country and restore the rights of the people, so that this again will be a Government of, for, and by the people.

Mr. Chairman, it will be unfortunate, in my judgment, if at this time this appropriation is struck out of this bill. The law for the physical valuation of railroads passed this House in the Sixty-second Congress without a single dissenting vote. It received the votes of all the Members of this House, irrespective of party affiliations. There was not a single vote cast against it. The law was passed by a Democratic House unanimously, by a Republican Senate by an overwhelming majority, and was signed by a Republican President. The purpose of that law was to correct existing abuses in order to arrive at the correct determination of the value of railroad properties in this country, to regulate the issuance of stocks and bonds, and adjust fairly transportation charges; and in the last session of Congress the Rayburn stock and bond bill, as an auxiliary measure to this law, was passed by this House, on a roll call, with only 12 dissenting votes. The good features of that law will be neutralized if the great work proposed under the physical valuation law is not carried into effect. This law will be of much value to the public in the settlement of great transportation questions, now the source of much trouble in this country. There are many things, doubtless, in the Interstate Commerce Commission work that ought to and could be corrected, but it is performing a great work, if not the greatest of any department of this Government, and it requires time to work out the proper solution of these questions, some of which are of the greatest magnitude and of far-reaching importance.

I will call your attention now to one of these things which perhaps needs changing and which doubtless can and will be done when opportunity is presented. The manner in which rates are promulgated now is entirely too expensive, and experience will develop a plan in which that expense can be greatly reduced. As the correction of this involves an administration feature, the commission will doubtless consider methods calculated to reduce this expense. Take one of these trunk lines of this country and it will cost the system \$250,000 to promulgate a tariff sheet and get it into force. That expense can be reduced, and the Interstate Commerce Commission, as the work develops, will, I have no doubt, find a way to reduce that cost.

The present method employed in the adoption of freight tariffs is not only expensive but cumbersome, and when once adopted is almost incomprehensible to most of the shippers of the country. A cheaper and simpler method should be, and no doubt will be, devised which will reform the present method and give better satisfaction to the patrons. But the commission has much to contend with and performs an enormous amount of work and accomplishes great good to the public. Its work should not be crippled, but assisted in every manner possible. It seems to me a tariff schedule should be presented to the commission in a petition form for approval before adoption, so that the commission could supervise the rates, and after thus passing on them then have them go into effect, and this certainly would be a great improvement over the method now pursued. It would save much expense and trouble. Some plan of this kind, I am convinced, should be adopted to obviate the trouble which now exists in this respect. A great economy can be inaugurated in this matter and this would enable roads to reduce expenses and prove a great boon to the shipping public. As expenses are reduced rates can be reduced. I hope and believe this subject will soon receive the attention it deserves at the hands of the commission.

Now, as to the physical valuation of railroads, the law was not only passed to ascertain the value but for the purpose of correcting a great evil existing in this country in reference to the issuance of stocks and bonds, which are sold to the investing public, who are entitled to protection from the financial sharks who have been fleecing the public. Innocent investors in railroad stocks and bonds have suffered very greatly because the actual value of the roads in which they bought stocks and bonds could not be ascertained, and hence they were unable to know

the real value of the same, but this law will protect the innocent investors in this country in these kinds of securities when in operation. In justice to people who invest in this kind of properties means should be provided for them to obtain this information. This law will supply this means and will also enable the commission to adjust freight rates on a substantial and proper basis. The propriety of the correction of the evils heretofore existing in the issuing of stocks and bonds far in excess of value and the charging of transportation rates to raise revenues to pay the interest on the same has been an imposition on the shipping public for which there was no justification. There is and long since has been a demand for the correction of these evils, and this law, when in operation, will enable the same to be corrected, and therefore protect the investing public from worthless stocks and bonds and the shipping public from exorbitant transportation charges.

Mr. MANN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, no appropriation found in this bill or any bill passed by this Congress is more important to the public than is this appropriation. I was very much surprised at some of the statements made by the gentleman from Georgia [Mr. BARTLETT]. He first stated that the bill directing this valuation was put through this House under whip and spur. Mr. Chairman, I well recall that this bill was open to unlimited amendment, was open to the fullest discussion. There was no caucus upon it, and if any bill has been open to full and free consideration, it was this very bill. The gentleman from Georgia states that this valuation is unnecessary, because if the Interstate Commerce Commission shall make any order with reference to rates, the railroads must prove, before that order can be set aside, that the rates are confiscatory, and therefore the burden is upon the railroads to show the value. The gentleman seems to forget that the Interstate Commerce Commission itself can not make an order except upon evidence before it; but passing that, if the railroads do get into court and attempt to prove confiscation, the attitude of the gentleman from Georgia and others who are opposing this proposition is that the Government should lie helpless without any evidence to meet that introduced by the railroads. I wonder if the gentleman himself, or any other lawyer upon the floor of this House, if he had a case in court for a client, if it became necessary to prove the value of property and the burden was upon the opponent, would say to his client that because the burden is upon the other side to prove the value of the property it was unnecessary for him to go to any expense to meet any evidence that may be offered by such opponent. Why, Mr. Chairman, it is absolutely ridiculous, a position that no lawyer would take in his own private practice.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. LENROOT. Yes.

Mr. BARTLETT. That is the very thing that the law is, and the decision of the Supreme Court is to the same effect. If it is ridiculous, they are responsible.

Mr. LENROOT. No; the law is that the railroad has the burden of proof to show confiscation, but the gentleman's position is that he is unwilling to have the Government have the means with which to furnish any evidence to overcome or meet the evidence of the railroads, and I say to the gentleman he never would advise a private client of his not to go to any expense to overcome evidence where the burden of proof of value is upon the other side in a private lawsuit.

Mr. Chairman, Congress itself has no power to change the rule with reference to the basis of rates which shall be charged by a railroad. The railroad is absolutely entitled to such rates as will pay a fair return upon the value of the property. If the rates are more than that, it is a confiscation of the property of the shippers. If it is less than that, it is a confiscation of the property of the railroad. The gentleman from Georgia stated that when this bill was passed it was upon the theory that this would mean a great reduction of rate. I took an active part in the passage of that bill. I never took that position. I said whether it amounted to a reduction or an increase of rates it was absolutely necessary to have this valuation in order that there should be a proper basis for rate making, because otherwise Federal regulation absolutely falls to the ground. And what, Mr. Chairman, is the situation now with reference to rate making in the absence of this valuation?

Why, Mr. Chairman, the gentleman from Massachusetts [Mr. GILLET] offers a motion to strike this out. If this valuation had been directed when the Interstate Commerce Commission first asked Congress to provide the means, it would have been completed long before this. If it had been completed, the New Haven Railroad, in the gentleman's district, would not have been wrecked; thousands of widows and orphans there would

not have been stripped of their fortunes. And what is the result now? Because of the mismanagement of railroads, because of the distrust of the public in railroad management, the railroads now come to the Interstate Commerce Commission and say, "We can not borrow new capital, and we want to increase our rates." And what is the basis of it? Upon the value of the property? No; the basis is that because new capital will not invest, we want the public to pay such rates as will not only pay a fair return upon the value, but because of suspicion of railroad management and because of distrust of railroad management, because of the hazards of the investor in railroad securities, they insist that they shall take from the shipper such sums as will compensate the investor for the hazards that he undergoes by reason of reckless and criminal mismanagement. Mr. Chairman, there has been a propaganda going on during the past year or two over this country attempting to discredit the Interstate Commerce Commission, attempting to discredit Federal regulation of railroads. But, Mr. Chairman, the fault does not lie in the Interstate Commerce Commission or in Federal regulation. I undertake to say that if it had not been for the New Haven mismanagement and one or two other railroads in this country we would not have had the situation that has existed with reference to loss of credit.

It has not been because of Federal regulation. It has not been because of the action of the Interstate Commerce Commission that railroad credit has largely gone. It has been due to some of the great railroad financiers themselves. It has been due to the fact that the railroads of this country during the past 10 years have been manipulated as a stock proposition upon the New York Stock Exchange rather than as a railroad proposition.

Mr. Chairman, to strike this proposition out of the bill now means an absolute loss of the \$2,400,000 that has been used so far in that work; and it means that in the future, if we shall set aside this physical valuation, whenever we have criminal railroad mismanagement or other cause of the distrust upon the part of the public, that the railroads may then come to the Interstate Commerce Commission or to Congress and say that because they can not borrow money to develop their property they insist that we permit them to increase the rates to the shippers to overcome the distrust that has been caused by their own reckless and criminal mismanagement.

Mr. Chairman, the Interstate Commerce Commission in its first decision upon the 5 per cent case said:

A carrier without a sufficient return to cover costs and obtain in addition a margin of profit large enough to attract new capital for extensions and improvements can not permanently render service commensurate with the needs of the public.

And in the second decision, granting the 5 per cent increase, it is fair to say that that decision rested largely, if not wholly, upon the proposition that the public interest demanded the increase. I am not going to criticize the Interstate Commerce Commission, but, Mr. Chairman, the Interstate Commerce Commission has no right in passing upon rates to determine what a general public policy shall be. The law is well laid down, and the Interstate Commerce Commission must keep within the limits of the law wherever they have the information upon which it can be based, and that is the simple proposition that railroads are entitled only to a fair return upon the value of their property. Again, Mr. Chairman, if this physical valuation had been had when it ought to have been had—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield two minutes more to the gentleman from Wisconsin.

Mr. LENROOT. If this physical valuation had been begun when it should have been begun it would have been completed a year or more ago. We would not have had pending before the Interstate Commerce Commission for nearly a year the application for increase of rates, and when the commission did finally act it would not have been a leap in the dark. On the contrary, if this valuation had been had, and they made an application for an increase, it would not have taken the Interstate Commerce Commission 30 days to decide the application, and there would not have been any great wonder on the part of the public whether there had been undue influence exercised here or undue influence exercised there. There would not have been any question on the part of the public as to whether or not the decision of the Interstate Commerce Commission was based upon correct conclusions or not, for they would have followed the simple and plain path of the law after they had had this evidence which I submit must be had if there is ever to be any proper Federal regulation of railroad rates in this country.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back half a minute.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not know whether the information that we get as the result of this appropriation will be worth what it costs or not. I notice Mr. Prouty says in the hearings before the committee that if they were to undertake to ascertain the value of each separate parcel of land which the law requires it would add \$15,000,000 to the expense that he had already estimated. But I think the time to have talked about the expense of the appropriation was when we passed the law authorizing the work to be done. And therefore I shall not vote to strike out the paragraph. But I wanted to find out from the gentleman in charge of the bill some matters connected with this valuation. Who is in charge of the valuation appropriation under the commission?

Mr. SHERLEY. I presume Mr. Prouty is as much in charge as anybody in connection with it.

Mr. JOHNSON of South Carolina. Mr. Prouty was one of the commissioners before he was appointed at the head of the valuation board, was he not?

Mr. SHERLEY. He was, and he is now the director of the valuation organization.

Mr. JOHNSON of South Carolina. At what salary is he employed?

Mr. SHERLEY. Ten thousand dollars.

Mr. JOHNSON of South Carolina. What force has he under him?

Mr. SHERLEY. Well, I do not know that I can answer within the time that the gentleman has. I have in my hand the number of people that are under him and the salaries that they are being paid. It is impossible now to answer.

Mr. JOHNSON of South Carolina. Are they within or without the classified service?

Mr. SHERLEY. Some of them are within the classified service and some of them are not.

Mr. BARTLETT. Let me suggest to the gentleman—

Mr. SHERLEY. Just a moment. Some of them are within the qualified classified service, which differs a little bit from the regular civil service.

Mr. JOHNSON of South Carolina. I have been informed—and I want to know from the gentleman in charge of the bill if it is true—that Mr. Prouty has a brother-in-law who was employed on this Interstate Commerce Commission force at a salary of \$5,000 and was transferred to this lump-sum valuation appropriation at \$7,500. Does the gentleman know if that is true?

Mr. SHERLEY. If the gentleman can tell me the name of the brother-in-law, I can tell him whether or not he is on the list.

Mr. JOHNSON of South Carolina. I refer to Mr. Farrell.

Mr. SHERLEY. There appears on this list Mr. P. J. Farrell, at \$7,500.

Mr. JOHNSON of South Carolina. And it also appears that from the Interstate Commerce Commission he received a salary of \$5,000 a year?

Mr. SHERLEY. I think that is true, sir.

Mr. JOHNSON of South Carolina. Is there any other Farrell engaged in the work?

Mr. SHERLEY. I have not been able to find the name of any other Farrell.

Mr. JOHNSON of South Carolina. I think the gentleman will find that the younger Farrell, the nephew of Commissioner Prouty, is employed on the Interstate Commerce Commission force at \$2,400 or \$3,000 a year.

Mr. SHERLEY. The gentleman was not asking me in regard to the Interstate Commerce Commission, but in regard to this division of valuation.

Mr. JOHNSON of South Carolina. Very well. Then I will go to the other question. Is there any other Prouty besides Commissioner Prouty on this valuation force?

Mr. SHERLEY. There is an attorney, W. Prouty, drawing a salary of \$3,000.

Mr. JOHNSON of South Carolina. I am informed he is a son of Commissioner Prouty. Does the gentleman know anything about it?

Mr. SHERLEY. I have heard that stated, but I have no personal knowledge as to whether it is true or not.

Mr. JOHNSON of South Carolina. I am very much obliged to the gentleman for the information. Now, gentlemen, here comes the old question that we have to confront us in every session of Congress. We have tried to remedy the evil by putting into the law a positive prohibition against men being put on lump-sum appropriations at increased salaries. Here is a man jumped from \$5,000 to \$7,500, and one family drawing down more than \$20,000 a year out of this appropriation.

Mr. MANN. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman and gentlemen, of course the benefit to come from any activities that we may take along these lines is a matter of the future. We are not so very much interested in the records of the past, simply considered as records, but we are interested in the records of the past in so far as they will aid us in the future. Those records show that during the 10 years from 1902 to 1912 the railroads increased their outstanding capitalization in stocks and bonds in the sum of \$7,152,546,007. They claim that during that same period of time they spent practically \$2,000,000,000 of the earnings of the railroads—taken from the American people, of course, for freight and passenger charges—in improvements and betterments. So there is more than \$9,000,000,000 alleged to have gone to the railroads during this period of 10 years. During the next 10 years what are they going to do? Are they going to continue the same method of procedure in the coming decade that they have carried on in the past?

It has been well said that we may forget the past and the iniquities and wrongdoings of the railroads and their officers and promoters and financiers in the past, but how about the future? There is no indication that there will be any kind of procedure in the future different from that which has taken place in the past.

England is a country that is governed more or less like ours. The railroads were given a free rein over there. There was no attempt at regulation or valuation or control such as we are trying to put in force in this country, and the valuation of railroad properties in England went up and up until it has reached \$314,000 a mile. If our lines were valued on the same basis as the English lines, we would be paying interest and dividend on \$81,000,000,000 of stocks and bonds. Is there any doubt that the railroads in this country will continue in the same way, increasing their capitalization each year, nine or ten billion dollars in every decade? Why should they change their practices? Why should their policy be different? Mr. James J. Hill declares that the railroads now need over \$5,000,000,000 to put themselves in shape. In 1907 they issued \$1,500,000,000 of stocks and bonds, and then, as Mr. Hill says, the people of the country were only saved from all kinds of industrial depression for want of the necessary railroad facilities because of the panic. It took the panic of 1907 to help the railroads out of the difficulty of inefficiency of management and insufficiency of equipment, notwithstanding the tremendous amount of stocks and bonds that they had issued.

It can not be claimed that they have spent that \$9,000,000,000 in new lines, for during that period of 10 years they have built only thirty-three thousand and odd miles of new lines, and they could not have spent the money for that purpose. Mr. Hill says they use their capitalization for new lines and their earnings for betterments and surplus. They could not have spent this money for betterments. We all know it has gone to increase the private fortunes of a few men. Are we going to continue that sort of a system?

What is the remedy? What is the suggestion of a method of stopping it? This affords a reasonable and sensible plan. Here we have an arrangement by which we can learn what is the value of the railroads, and the commission can determine whether or not rates should be allowed, and when the railroads issue new bonds, whether the Government shall limit their bonds or not, the public will know whether the bonds are worth anything. The public will know whether the stock is worth buying. I can not understand how any well-informed Member can support this motion to strike the paragraph. At this time only 64 per cent of the stock of the railroads that is issued is paying dividends, and it is plain, as everybody knows, that they have increased the amount of their securities beyond all considerations of justice and equity.

Compare the situation in England with the German situation. A recent statement issued by Prof. Walther Lotz, an authority in Germany, says that the Prussian-Hesse railroads, which are valued to-day in truth at \$5,000,000,000, are carried in the capitalization account of the German Government at only \$2,000,000,000—in other words, 60 per cent less than their real value—and that another billion has been taken from the railroads as profits paid into the public treasury. In this country we do not follow that kind of a method. Here all the unearned increment, all the increase in value, as fast as it is realized, is issued in the form of paper stocks and bonds at the ratio of 2 or 3 to 1, on which all those who come after us must pay interest and must insure dividends. There have been 750 receiverships involving railroads and some 950 foreclosures. The money has gone in that way and in scandals and extravagance. We could forget all that, as I stated at the outset. We could put all that behind us if it were not for the fact that the coming 10 years will reveal the same kind of procedure, and we will get an ultimate \$81,000,000,000 of capitalization, like England, if we do not stop it.

Mr. SHERLEY. I yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, my judgment about this appropriation is that I do not believe that ultimately it is going to amount to any good to the people of this country who pay the freight. Judge Prouty, in his statement before the Appropriations Committee, said that there were 250,000 miles of single-line track and that there was 1 mile of siding for each mile of single track in the United States, which makes 500,000 miles of track. According to the calculation of my distinguished colleague from Georgia [Mr. BARTLETT], it would take over 21 years for these gentlemen finally to assess the physical valuation of all this property. At \$3,000,000 a year, it will cost the people \$63,000,000. Now, when we get through let us see what we shall have. In the saying of the street, "After you get it, what are you going to do with it?" Old Commodore Vanderbilt laid down a proposition away back yonder in the early days of railroading that is just as true to-day as it was then. When he was asked upon what he based his rates, he said: "I fix the rates on my line of road for every penny the traffic will bear." And they have been doing that ever since. Now, suppose you find the exact value of the physical railroad property. Is there a man within the sound of my voice, is there a man whom you ever heard or read of in your life, who could tell you the actual elements that enter into the making of a rate? If you have ever seen such a man, you have seen one that I have never been able to hear of. They do not know why they fix a rate of \$1.05 to one point and \$1.18 to another point, and there is not a railroad man in the world who could tell you why a certain rate is fixed. It is guesswork pure and simple, and it is for the people in their wisdom to say how long they will bear that kind of rates. The railroads are rapidly realizing that the time is at hand for them to come out in the open and deal with the people of this country fairly. I do not believe that the modern railroad directors are going to stand for any more "watered" stock propositions. They are finding out that the confidence of the people of this country will eventually be worth more to them than false profits upon questionable bond issues. My notion is they will never get unprejudiced treatment by the people or their representatives until they do.

In the wisdom of the court they have said that the burden of proof is on the railroad company, when the Interstate Commerce Commission fixed a rate, for them to show that that particular rate is not an unjust discrimination against the railroad.

Now, there is one element left out entirely in the valuation of railroad property, and that is a subject with which I have had something to do. The most valuable assets of the railroads in this country to-day are not their physical property; it is the value of their franchises, the right of exercising the power of eminent domain.

After you fix the physical valuation what have you got to do? You have got to appoint another commission or perpetuate this commission, for the Lord knows how long, to determine the value of the franchise of the railroad. Why? Because in many States of the Union the franchises of the public-utility corporations are subject to taxation just as the physical property of individuals is subject to taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I do not desire to discuss at length this proposition. I should like to have the fact go into the RECORD that this does relate to the physical valuation; it relates to the valuation of the railroad property. This includes all property, of whatever nature or character. The title of the act upon which the valuation now in progress is based is "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof providing for a valuation of the several classes of property of carriers subject thereto, and securing information concerning their stocks, bonds, and other securities." This law went into effect March 1, 1913, while we still had a Republican President and a Republican Senate.

This is a measure the people of the United States were in favor of, and no party nor any considerable portion of the people has suggested taking the people into their confidence on a proposition to either terminate this law or to suspend it by cutting out this appropriation. I think frankness would require that if the law is not regarded as a wise one it be terminated and not suspended.

The gentleman from Massachusetts [Mr. GILLET] says that 10 years or more will elapse before this valuation is completed, and that part of the findings will then be obsolete. With that statement I do not agree. If they become obsolete when we are going through with all the speed possible, if we suspend work for one or two years, then those that have been made in the

early stages at the end of the period will have become ancient history. Further, the bill provides for revision of valuations so that the early estimates will be brought up to date.

I do not believe that the suspension of this work by refusal of this appropriation would fail to meet rebuke by the people.

I appreciate the chivalry of the gentleman from Massachusetts [Mr. GILLET] in his attempted rescue of the National Treasury, as he states it. I find him so "rescuing the perishing" on frequent occasions, but will he not wait two years and then "care for the dying" [laughter], after which there will be an opportunity for replenishing our Treasury so that the ordinary functions of the Government may be provided. Then bankruptcy will not be the main subject for discussion in this House, as it necessarily has been during the last two years. Our balance in the Treasury has been going down from the 4th of March, 1913, to the present day at an average of \$150,000 per day.

Permit me to further say that I do not think the plan so ably urged by the gentleman from New York [Mr. LEVY] in assisting the gentleman from Massachusetts, that we should let this valuation to the highest bidder would in any way relieve the Treasury. He asserts that \$3,000,000 is a large sum. Yes, \$3,000,000 is a good round sum to invest in any one year for any purpose. But the courts have fully established—and I shall ask leave to extend my remarks in the *RECORD* by quoting liberally from a recent Minnesota rate case—the fact that rates in the maximum must not be greater than a fair return on the valuation of the property which is engaged in performing the service, and that the minimum shall not be low enough to be confiscatory. It leaves only large questions of fact for the commission and courts to determine.

In the case of Simpson et al., constituting the Railroad and Warehouse Commission of the State of Minnesota against Shepard, found in the Two hundred and thirtieth United States Supreme Court Report, beginning on page 352, there will be found the following statements.

On page 355, as part of the syllabus, appears the following:

While the property of railroad corporations has been devoted to a public use, the State has not seen fit to undertake the service itself, and the private property embarked in it is not placed at the mercy of legislative caprice, but rests secure under the constitutional protection which extends not merely to the title but to the right to receive just compensation for the services given to the public.

For fixing rates the basis of calculation of value is the fair value of the property of the carrier used for convenience of the public. (*Smyth v. Ames*, 169, U. S., 466.)

There is no formula for the ascertainment of the fair value of property used for convenience of the public, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts.

On page 434 in the opinion the following appears:

In determining whether that right has been denied—

Right to receive just compensation for the service given to the public—

each case must rest upon its special facts. But the general principles which are applicable in a case of this character have been set forth in the decisions.

(1) The basis of calculation is the "fair value of the property" used for the convenience of the public. (*Smyth v. Ames*, supra, p. 546.) Or, as it was put in *San Diego Land & Town Co. v. National City* (supra, p. 757), "What the company is entitled to demand, in order that it may have just compensation, is a fair return upon the reasonable value of the property at the time it is being used for the public." (See also *San Diego Land & Town Co. v. Jasper*, supra; *Willcox v. Consolidated Gas Co.*, supra.)

(2) The ascertainment of that value is not controlled by artificial rules. It is not a matter of formulas, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts. The scope of the inquiry was thus broadly described in *Smyth v. Ames* (supra, pp. 546-547), "In order to ascertain that value the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stocks, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration, and are to be given such weight as may be just and right in each case. We do not say that there may not be other matters to be regarded in estimating the value of the property. What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience. On the other hand, what the public is entitled to demand is that no more be exacted from it for the use of a public highway than the services rendered by it are reasonably worth."

In view of the foregoing the importance of this work of valuation must be reasonably apparent to all.

If a competent commission shall find those facts accurately and reduce them to a workable basis, a large service, worth many million dollars, will have been performed for the American people, railroad and shipper as well. [Applause.]

[Mr. SLOAN was granted leave to extend his remarks.]

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I intended my remarks to apply to an amendment which I shall offer, but the agreement as to

time having made that impossible, I speak upon the question now. The old question arises as to the benefit that physical valuation of railroads will accomplish. Certainly if it is carried out, if they depend upon it to make rates, the rates will be double what they are now, because there is no question but that the valuation will be far in excess of that upon which the rates for freight and passengers are now based at the present time.

It is unfair to charge the President of the United States with interfering with the Interstate Commerce Commission. We all know that such a charge is absolutely incorrect and without a scintilla of proof. The statements made by the gentleman from Iowa [Mr. GOOD], which he claims as evidence that has not been denied, are so absolutely absurd on their face that they require no denial. All American citizens, irrespective of party affiliations, hold the President and his office in the highest esteem, and it seems astounding to me that any Representative on the floor of this House should even intimate such a charge.

It is the same way with the Interstate Commerce Commission. In all of my charges against a portion of the commission, I never charged that they were unfaithful in the way of being influenced. I believe it is impossible to influence the Interstate Commerce Commission, but they have got the wrong theory, and the country arose at their outrageous treatment of the railroads in trying to drive them into bankruptcy by allowing such a low rate, and they had to change their decision. They heard the popular voice of the people, and it was opposed to them. In fact, if the Interstate Commerce Commission would give the railroads a fair rate to-day, they ought to have 10 per cent, and every shipper in the country would be in favor of it. It would bring us prosperity and double the business of the country. It would give more employees higher rates of wages. How can you expect the railroads to go on and increase the rates of wages of employees and reduce their rates on freight? Take the statistics from abroad. Our freight rates are one-third of what they are in Germany and England. I stated last year that a prominent statistician of this country would value the railroads in four years at \$5,197,000.

If you are fair and you want a valuation and you want it promptly, give it by public letting to a statistician, at a stated amount, and let it be carried through. Commissioner Prouty, when he first appeared before the committee urging a physical valuation of the railroads, stated that it would cost a moderate amount, something like the amount asked by the commission for one year, but after he and his commission were appointed he states that he wants so many millions, and you should bear in mind that \$3,000,000 is 2½ per cent on \$120,000,000 a year. Just think of that—in one year! But next year he will probably want \$5,000,000. What is he doing? Is he surveying this country for the purpose of building railroads? Why not buy the railroads outright? My theory is that this money is absolutely thrown away. It will not be for the benefit of improving the rates, because every State in the Union has a commission that already has a valuation of the railroads.

The CHAIRMAN (Mr. HOWARD). The time of the gentleman from New York has expired.

[By unanimous consent, Mr. LEVY was granted leave to extend his remarks in the *RECORD*.]

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I am opposed to the motion to strike this item out of the appropriation bill, not only for the reasons already well stated, but for other reasons. Early in the last session of this Congress I introduced a resolution calling for an investigation of the financial affairs and the physical condition of the Rock Island Railway Co. Pursuant to action taken by the Committee on Interstate and Foreign Commerce, to which the resolution was referred, this investigation was undertaken last fall by the Interstate Commerce Commission, and, while the investigation is not yet complete, important facts have developed that are of great value to the public generally and of especial interest to all of the stockholders of that company. Based on information derived through this investigation one suit has already been commenced to recover \$7,500,000, which was taken from the treasury of the railway company to pay losses sustained in the purchase of stocks and bonds of other railways. Other suits have also been commenced, all of them against the directors of this railway, to recover various sums appropriated, running into hundreds of thousands of dollars, among which I might mention one political contribution of \$25,000, to which party I do not know, and also because of large transfers of stocks and bonds given to certain favored parties for much less than their real value.

As a further result of these investigations there has been a change in the management of this railway. It was controlled

by what was called the Reid-Moore interests, which originated the plan of creating holding companies, which for so many years dominated the actions of this railway. All of the directors whose terms expire this year have now signified their intentions to retire under fire. Most prominent among them is Mr. Reid, perhaps the boss, as some gentlemen suggest, of the syndicates which have controlled that railroad.

But, Mr. Chairman, the Interstate Commerce Commission finds itself unable to go on with this investigation with reference to the physical condition of this railway, although it expects to finish the investigation into its financial affairs. It does not have time to go into the physical valuation of this railway under a separate commission or board, and it also has thought it would be a duplication of the work soon to be done under this appropriation in the way of physical valuation of all of the railroads of the country. This work, Mr. Chairman, is extremely important, not only for the purpose of ascertaining what is a proper and just rate to be charged for the shipment of freight, but also in order that the people may understand whether the railways are safe for the conveyance of passengers and whether they are rendering to the public the service which they ought to render. This is the only way in which this can be ascertained. This, as I think, is by no means the least important part of this physical valuation, and for that reason, as well as the others that have already been stated here, I am very much opposed to striking out this item.

Mr. SHERLEY. Mr. Chairman, may I ask the state of the time?

The CHAIRMAN. The gentleman from Kentucky has consumed 20 minutes and the gentleman from Illinois 35 minutes.

Mr. SHERLEY. Mr. Chairman, I do not see on the floor at the present moment any of the gentlemen to whom I had expected to yield, and if the gentleman from Illinois can use some of his time now I will endeavor to reach them at once, so as not to delay the committee.

Mr. MANN. Mr. Chairman, I will yield myself three minutes. I would not be competent to make a railroad rate, yet I think I have given as much study to the legislative theory in reference to railroad rate making as anybody in the House, owing to the position which I occupied in committee for many years. Probably no one can tell just how railroad rates are made. I am rather inclined to the belief that they are mostly like Topsy—they have just grown. They are not based on the value of the property, and can not be, exclusively. There are eight or nine trunk lines which carry freight between Chicago and New York. The rates have to be the same on each, except on some of the lines that run away around about, and on these the rates are a trifle lower than they are on those that can carry the freight most cheaply straight across the country. One of those roads may have a valuation of \$50,000 a mile, and the other might have a valuation of \$75,000 a mile, but the rates would have to be the same; and yet it is impossible for anybody to make railroad rates without taking into consideration the value of the railroad property. We have reached the point under legislation where the courts have very little to say and the railroads not very much to say in reference to the rates. It is left to the Interstate Commerce Commission. Railroads can propose rates. The Interstate Commerce Commission determines the rate, and under the existing law they determine the rate in a way that usually can not be overturned by the courts. Well, it is a great problem to fix the railroad rates throughout the United States with the enormous value of freight that is carried by the roads. It strikes at the industrial prosperity of every portion of the country, and may affect the bankruptcy or profit of every industry and every business man, and hence it probably is desirable to give to the Interstate Commerce Commission all of the information which can be obtained which may influence the fixing of railroad rates. We have commenced the valuation of railroad property. I think it is highly desirable that we complete the valuation of railroad property as rapidly as possible. Gentlemen are in error who think that if the valuation be not completed for 10 years that it will then be obsolete and out of date, because under this law they are required to keep up to date the valuation of every railroad which they have previously valued.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I will take two more minutes. The term has been frequently referred to in the debate, "physical valuation of railroad property." That is not the language of the law. The language of the law is that they shall value all the property of the railroads. Now, whether the franchise is property or not I do not undertake to say. It may be that it is. If it be property, it is to be valued by this commission. Every item which is property is to be valued by the commission, and if franchises are property, then they are to be valued

separately, so that the commission can or not, as they please, take that into consideration in determining the rate. The law is so drawn that those things will not be confusing, and hence in my judgment it would be very inadvisable, having commenced this work, having organized a force to carry it on, having found the need of the valuation of railroad property in a determination by the Interstate Commerce Commission of freight and passenger rates throughout the United States, it would be very inadvisable at this time to give this commission any less money than it can properly use during the next fiscal year. The sooner the work is completed the better, in my judgment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, this debate has taken a very wide range. I have listened with considerable interest to gentlemen as they have traversed practically the entire field in reference to the physical valuation of railroads. The committee should not lose sight of the fact that two questions are pending before the committee for its determination—one, whether any appropriation shall be made to continue the work of the physical valuation of railroads, and the other whether the recommendation of the Committee on Appropriations for \$3,000,000 should be modified by substituting therefor \$1,000,000. Before I discuss the propriety of appropriating \$3,000,000 I wish to revert to some statements made earlier in the debate which seem now to have floated off on the tide with a lot of the other flotsam and jetsam that is usually injected into debates in this House.

The matter to which I wish to refer briefly was the suggestion of the gentleman from Iowa [Mr. Goop] that the Interstate Commerce Commission has been coerced by the President of the United States in the recent rulings in proceedings pending before the commission. I know of no more serious offense on the part of the Executive or on the part of members of the Interstate Commerce Commission than that suggested by the gentleman from Iowa. If the President of the United States has used his great power and influence to coerce the Interstate Commerce Commission into a decision which was not justified by the evidence upon which the commission would act, then the President should be impeached. If the Interstate Commerce Commission has been guilty of reaching a determination in a proceeding before it for the purpose of increasing railroad rates, and that decision has not been reached through the honest conviction of the commissioners upon the evidence, but rather through the persuasive or coercive powers of the Chief Executive of the country, the commissioners have demonstrated their full incapacity for their positions, and they should be impeached and removed from office. If I believed that either the President or the Interstate Commerce Commission were guilty of the offense alleged by the gentleman from Iowa, and if I had the slightest proof to justify that belief, I would think that I was under the compulsion of the highest obligation resting upon me as a Member of this House to move the impeachment of whichever officials had been guilty of this conduct. If I did not have sufficient proof to justify such a belief, I would not utter idle and unwarranted statements regarding their conduct. Nothing harms our entire system of government more than loose, unfounded, unsupported, and unjustifiable charges against those occupying high places in public service, and it is particularly incumbent upon members of a coordinate branch of the Government to be particularly careful not to indulge in statements which, if not direct charges, can only be construed as such charges against high officials, unless their statements are supported by evidence which will appeal to reasonable men as sufficient to justify such conclusions.

No one, of course, seriously believes that the President has attempted to coerce or persuade the Members of the Interstate Commerce Commission to render any decision upon any question pending before it in a way that the evidence does not justify. Not only has the President not attempted to use any influence he may possess to persuade the Interstate Commerce Commission not to render or to render a decision not justifiable by the evidence, but I will hazard the opinion that the President has not attempted to influence the Interstate Commerce Commission upon any question whatever; that he has permitted that commission to perform its duties and discharge the functions devolving upon it under the law without any attempt whatever to suggest or interfere with them in their work. It might be well to recall, Mr. Chairman, in connection with what has been said, if I remember correctly, that the application of the eastern railroads, as the matter is commonly designated, for an increase of rates had been pending for a very considerable time—my recollection is several years, although I may be mistaken—and a decision had been filed for a very considerable time; but after it was handed down another petition was submitted by those railroads, and evidence of conditions which

did not exist at the time the original application was offered and submitted, and upon this additional evidence the commission rendered the decision of which complaint is made. So far as my observation goes, there was not any universal outcry or criticism of the commission for its action in granting the request of the railroads. On the contrary, it seemed to meet with the approbation of the people of the country. I am not sufficiently informed as to the facts to express an opinion upon the merits of the matter, and I would be content to acquiesce in the determination of the commission at this time. Now, this bill carries an appropriation of \$3,000,000 to enable the Interstate Commerce Commission to carry out the work providing for a physical valuation of the railroads of the country.

When it was first proposed that this work be undertaken, statements were made before the Committee on Interstate and Foreign Commerce of the House to the effect that it could be completed for about \$3,000,000 and be finished within three or four years. Later the statement was made that it would probably take \$6,000,000 and probably occupy five years. After the bill was enacted into law, the Interstate Commerce Commission submitted estimates of the moneys required to carry on the work; and Commissioner Prouty, who had been designated to make an exhaustive investigation of the subject and to outline the program to be followed by the commission, presented his views of what the cost would be. He reached the conclusion that it would cost the United States at least \$12,000,000, and in all probability the cost might be between \$12,000,000 and \$20,000,000. He stated that the Congress should not initiate the work if it was not prepared to spend at least \$12,000,000.

Mr. COOPER. Will the gentleman permit a question?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Wisconsin?

Mr. FITZGERALD. I will.

Mr. COOPER. According to my mathematics, if it would cost \$25,000,000 to value \$20,000,000,000, the alleged value of the railroad property, that would be only a little over a tenth of 1 per cent.

Mr. FITZGERALD. I am not discussing that phase of it.

I want to point out what the situation was when Congress started this work—the information the Congress had. This information that was furnished to the Committee on Appropriations by Judge Prouty was stated by me upon the floor when the first or second appropriation was made. The first appropriation was \$100,000, in the deficiency act of 1913. And then we appropriated \$300,000 when \$1,500,000 was requested; and then we appropriated \$2,000,000 when \$2,000,000 was requested. Now we are asked to appropriate \$3,000,000, and we made this recommendation; but before we had expended any considerable sum of money the House was informed that, in the opinion of the men best qualified to judge, this valuation work, if undertaken, would have cost at least \$12,000,000, and the cost within reasonable probabilities might reach \$20,000,000; and he and myself informally agreed that it was more likely to reach \$20,000,000. But those facts were stated to the House, so that the Members when voting to commence the work would have a full knowledge and understanding of what it was believed the work would cost if it were begun; and the work was begun by the appropriations, and the organization that was necessary to do the work was outlined and perfected, and the work has been carried on. Now it has reached the point where the organization has been perfected and the work is being carried on.

Mr. MANN. Will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. I will yield.

Mr. MANN. Somebody stated a while ago that in the hearings Judge Prouty said that if the law was to be carried out according to its terms, valuing each piece of property separately, it would cost about twice what is now contemplated. Is that true?

Mr. FITZGERALD. That arose in this way: The law requires separate valuation upon each parcel of property of the railroad companies, if I recall correctly.

Mr. MANN. That is the term used. Just what does it mean?

Mr. FITZGERALD. For instance, the railroad is running through a stretch of open country. Judge Prouty's opinion is that it is easy to ascertain the value of an acre of land—an average value—and then take the entire holdings of the railroad right through a stretch of country, where you can fix an average price and put the value on it.

Mr. MANN. I think that is all the law contemplates.

Mr. FITZGERALD. Some persons contend, however, that instead of doing that the commission must take each parcel as

it was acquired in the condemnation proceedings and fix a separate value on that particular parcel, and if that policy were adopted it would increase immensely the work of valuation. But Judge Prouty expressed the opinion that when the commission had this matter placed before it and understood the situation exactly, it would very likely determine on the plan that he believed should be followed—that is, that the taking of the average acre value of land through a stretch of country and applying it was the proper and correct procedure to follow, and that the other method would be so impracticable and so unnecessarily time consuming and expensive it would not be expected to be followed.

The CHAIRMAN. The Chair will notify the gentleman from New York [Mr. FITZGERALD] that he has occupied 15 minutes. He has 15 minutes remaining.

Mr. FITZGERALD. I will ask the Chair to notify me when I have used five minutes more. That is all I want to use.

The organization has been perfected and there are parties out and work is going on. There is a certain overhead expense in connection with this work which will go on regardless of the speed with which other parts of the work is undertaken.

Now, the larger the force that is put in the field and that can be worked without increasing the overhead cost the cheaper this work will be done in the long run, and, secondly, the more quickly the work is completed, if it is to be completed, the more useful and beneficial the results will be. Now, unless the work is to be abandoned entirely, then it is the part of wisdom to conduct it as rapidly as it possibly can be conducted, because by so doing two things will be accomplished—the total cost will be reduced and the results will be more current and can be utilized to more advantage.

Now, that is the situation, Mr. Chairman. Congress passed the law in response to a great public sentiment. There was some difference of opinion about the advisability of enacting the law. After the law was enacted and the work was initiated, before any considerable sum of money had been expended, Congress was informed as to the probable cost. Two million four hundred thousand dollars have been appropriated and largely expended in the work. In my opinion, having gone so far, the country expects this work to be completed. It should settle some very important questions of vital interest to the people of the United States, and since it is under way and since it is desirable to complete it, I believe it should be completed as rapidly as it is possible to carry on the work. The Interstate Commerce Commission suggested that \$3,000,000 be appropriated at this time. Judge Prouty thinks that perhaps more money than \$3,000,000 can be used. I believe that we should keep the commission supplied with sufficient funds to enable the work to be carried to completion as speedily as possible, and once the work is done, to enable the solution of a number of questions troublesome both to Congress and to the people using public facilities generally. I am opposed to the amendment of the gentleman from Massachusetts [Mr. GILLET] to strike this appropriation from the bill. I am opposed to the amendment of my colleague from New York [Mr. LEVY] to reduce the appropriation; and I am opposed to placing a limitation upon the commission as to the time within which the work is to be completed.

The commission is anxious to complete it as speedily as possible. I would not embarrass the commission by compelling it to attempt to complete the work within a definite period, unless the commission itself is prepared to say it can be done within that period.

More than that, Mr. Chairman, the law contemplates that after the work of making the contemplated valuation is completed, the information shall be kept current by constantly continuing investigations and accountings, so that the valuation will not be obsolete in a certain time, but will be kept current and available for use at all times. And if that is to be done, then the work will never in effect be completed. The great bulk of the work will be done, but certain moneys must be expended every year in order to keep the valuations current. I hope both amendments will be defeated.

Mr. MANN. I yield the rest of my time to the gentleman from Massachusetts [Mr. GILLET].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 10 minutes.

Mr. GILLET. Mr. Chairman, the gentlemen who have opposed this amendment have in the main followed one of two lines. They have either adopted the policy which one of the professors at the law school told us as students, "When you have a bad case, attack the counsel on the other side," or else they have indulged in mere praise of the usefulness of appraising the value of railroads. Now, at the very outset I admitted the value of that. The gentleman from Wisconsin [Mr. COOPER], to be sure, tried to extort or distort from what I had

said the intimation that I did not approve it. I recognize that it is valuable. I do not see how anyone can question that in framing rates it would help the Interstate Commerce Commission to know the valuation. But when we are deciding upon whether we will expend money in private life we always consider what we are going to get for it, and whether the amount of money we are going to spend will be compensated by the value of what we are getting. And so it seems to me in this case, admitting as everybody must, that it is valuable to know what these railroads cost and what they are worth, yet that value may be acquired at a greater expense than will be compensated by the result.

You can not say it is so valuable that we should have it, no matter what it may cost. And, moreover, when we are purchasing a thing we also consider the state of our pocketbook. And to-day, in determining how much we will spend, it seems to me we ought to consider what we have in the Treasury. When we first passed this law we had no idea it was going to cost any such sum as we are told to-day it will cost. Obviously, by what Judge Prouty told us at this session, it is going to cost at least \$20,000,000 to make the valuation, and at the present rate that the Interstate Commerce Commission suggests that it should go on, we are not going to get it in less than 8 or 10 years from now. So the postponement of one year is not a very serious proposition. And then, in addition to that, as the gentleman says, if we are going to carry out the purposes of the law and find valuations, there is an additional expense of \$15,000,000. And then, if they are to add what the gentleman from Illinois says they ought to do, and keep their valuations current all the time as they go along, that is going to cost another vast sum. And then there is the additional sum which it is costing the railroads.

So it seems to me that the mere fact that this is of great value, as every one must admit, is not necessarily conclusive that we should make the appropriation for it at this time. And the one argument on which I base my motion, and on which I stand now, is that the Treasury of the United States at the present time forbids us to appropriate for anything except necessities. As the gentleman from Illinois [Mr. MANN] has pointed out, this is not a necessity. Valuation is not even the most important element in determining rates. Between here and New York there are two lines of railroad—the Baltimore & Ohio and the Pennsylvania. One may have cost twice as much as the other, but when you know the cost of them you are not going to determine the rates upon that alone. For the next eight years we have got to get along in fixing rates without this valuation; we are doing it now; and, to my mind, the Treasury, owing to the circumstances which I have explained before, is not in a condition to allow the United States to spend anything except for necessities. I believe this is not a necessity, but a luxury, which can be postponed one year. I will admit that if it is stopped now I do not believe it will begin next year again, because I do not believe that side of the House will provide us sufficient revenue the following year to enable us to indulge ourselves in luxuries. We will have to await another administration for that. But it seems to me here is an expense which we can defer. Therefore on account of the condition of our finances we ought to postpone it.

The CHAIRMAN. The gentleman used five minutes.

Mr. MANN. I waive the remainder of the time.

The CHAIRMAN. The gentleman waives his time. The gentleman from Kentucky [Mr. SHERLEY] is recognized for 10 minutes.

Mr. SHERLEY. Mr. Chairman, the gentleman from Massachusetts [Mr. GILLET] has a very peculiar idea of the duty of Congress at this time. I commend his newly awakened zeal in the interest of economy, and I only hope it may prove contagious on that side of the House. But I think the manly thing to do in connection with this particular appropriation is either to repeal the law, on the ground that we do not believe in doing the work that the law provides shall be done, or else make the requisite appropriation for doing it in decency and in order, and not undertake to kill by indirection what has been the expressed will of Congress.

When we passed the bill I had no delusions as to the cost of this work. I think the hearings first had by the committee after the law was enacted will show that I then stated that the cost would run very, very much greater than had been originally estimated. And I think men who had thought at all about the matter were of that opinion. But I have not yet convinced myself that the work is not worth doing, and I certainly do not believe that this House would be warranted in refusing the appropriation to continue it without having first considered the basic proposition whether they desire the law which directs it to be done kept on the statute books.

But I did not arise, Mr. Chairman, to speak entirely of that phase of the question. The debate has taken a wide range this morning, and some things have been said that make me desire to say some words in response.

I have served in this body 12 years. I believe I have as high a respect for the dignity of Congress as any man can have. There is nothing that will serve to increase the respect in which the Congress of the United States is held by the people of America that I will not gladly promote. But during these 12 years I have been impressed with the fact that there are constant criticisms of the Executive by Members in this body and constant expressions of the decline of this body because of what men are pleased to call the usurpations of the Executive.

I believe that a reading of history will show that there has never been a strong President of the United States, one who had and maintained the confidence and affection of the people of America, that has not been constantly assailed on the ground of executive usurpation. Read over the history of illustrious men who have occupied the White House and you will find those who are held in the dearest memory by the people of America are those who were of a positive character, men who had the courage of their convictions and who properly used their high office to carry out those convictions.

The power of the President of the United States to do good is limited only by his ability. The power of the President of the United States to do evil is almost negligible. Let any man, an occupant of the White House, lose the confidence of the people of America, no matter what he may endeavor to do in the way of usurpation or otherwise, his ability to accomplish becomes absolutely negligible. We need only to refer back very briefly in order to have a striking illustration of that fact.

I am somewhat amused by gentlemen who sat silent in other days now undertaking to inveigh against the present President of the United States because of what they assume is executive usurpation on his part. Let me say this to you: I believe that when any man in the House of Representatives or in the Senate of the United States can be controlled against his deliberate judgment as to his duty touching matters within the field of his obligations it is a good thing for the country when such a man is controlled. In other words, any man so lacking in courage, so lacking in stamina, that he is willing to surrender his real convictions upon matters is a man whose judgment is of so little value that he needs to be led, and when he is led it is in the interest of the people of America.

Statements are constantly made here that have no foundation in fact—the statement which was made by the gentleman from Iowa, touching the control of the Interstate Commerce Commission, and then the gentleman from Wyoming undertaking to say that, while he had no evidence, he had sufficient ideas as to the character and personality of the President of the United States to have his own conclusion that there had been influence upon that distinguished body, the Interstate Commerce Commission, are, to my mind, wholly unwarranted. The President of the United States may or may not have expressed an opinion touching the rates, and whether they were too low or too high. If he did, he was well within his rights. But there is no man with any consideration for honesty of expression who is willing to say that there was wrongful influence brought upon that commission by the President of the United States or by anybody else. This country had an agitation for months as to whether or not there should or should not be an increase in rates. Testimony had been adduced, and outside of that testimony there had been many articles written and much said in the public prints and elsewhere; and yet, so far as any man knows or has any right to say, that case was heard upon its merits and decided upon its merits. The fact that the commission saw fit to review its previous action no more justifies a criticism being leveled at it than it would if any court reversed its former decision.

I am not at all fearful of the domination of the Executive in America. I am not at all fearful of the decline of the Congress of the United States as an institution. Individual Congresses may decline or may not, according to the personality of the men that make up the body, but the Congress of the United States will be respected in just the proportion that the action of the Members in this body cause it to be entitled to respect. I repeat that I have nothing but contempt for the man who on the floor or in the cloakroom talks about Congress being over-awed by the Executive and that he is forced to do something against his will. Whenever the time comes when I feel that I have not courage enough to express my own judgment on matters properly coming before me and that I am willing to surrender to the dictation of some one else, then I shall hope to have at least enough remaining courage to resign and let some

man with real red blood in his veins take my place in the Congress of the United States.

I think this Congress would do itself infinitely more credit if it were careful of its own action, to see to it that its own action was always such as to meet the approval of the people, instead of undertaking to go out of its way in criticism of the executive branch of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired on the pending paragraph and amendments thereto. The amendment of the gentleman from New York having been withdrawn, the Clerk will report the amendment of the gentleman from Massachusetts.

The Clerk read as follows:

Strike out the paragraph beginning on line 8, page 49, down to the end of line 21.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. BRYAN) there were—ayes 13, noes 89.

So the amendment was lost.

Mr. MANN. Mr. Chairman, I ask unanimous consent to insert quotation marks after the word "securities" in line 15, page 49. It is the description of an act, and the quotation marks are left out by mistake.

The CHAIRMAN. The question is on the amendment suggested by the gentleman from Illinois.

The amendment was agreed to.

Mr. LEVY. Mr. Chairman, I call up my amendment.

The CHAIRMAN. The Chair understood the gentleman from New York to withdraw his amendment.

Mr. LEVY. I withdrew it so as to permit a vote on the other amendment. I desire to offer the amendment again.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out line 21, on page 49, and insert in lieu thereof the following: "\$1,000,000, and said valuation shall be completed within four years."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LEVY) there were—ayes 2, noes 57.

So the amendment was rejected.

Mr. LEVY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out lines 8 to 21, inclusive, and insert in lieu thereof the following:

"Valuation of property of carriers: The Interstate Commerce Commission is hereby directed to advertise for bids from financial experts for the purpose of carrying out the objects of the act providing for a valuation of the several classes of property of carriers subject to the act to regulate commerce and amendments thereto, and to secure information concerning their stocks, bonds, and other securities, and to award the contract to the lowest bidder. Said valuation shall be completed within four years and shall not exceed \$5,197,000; and to enable said commission to carry out the provisions of this section there is hereby appropriated \$1,000,000. All laws or parts of laws inconsistent with this section are hereby repealed."

Mr. MANN. Mr. Chairman, I make the point of order that that is new legislation.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For all authorized expenditures under the provisions of the act of February 17, 1911, "To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," including such stenographic and clerical help to the chief inspector and his two assistants as the Interstate Commerce Commission may deem necessary, and for per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, \$220,000.

Mr. BROWNING. Mr. Chairman, I move to strike out the last word. There has been quite a discussion going on in this country, especially in the newspapers, on account of the incident of a British merchant ship raising the American flag. This morning I am in receipt of a letter from one of my constituents, who was a lieutenant in the United States Navy during the Spanish-American War. The information contained in that letter is so important that I feel that every Member of the House, as well as the people of the United States, will be interested in knowing what he has to say. I therefore send the letter to the desk and ask that it be read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read the letter, as follows:

NEW YORK, February 9, 1915.

DEAR MR. BROWNING: As I am a voter in your district, I thought the following would interest you:

During the War with Spain I was the senior watch officer of the U. S. S. *Resolute*. We were on the blockade off Santiago in the early

part of the war, and were ordered to Tampa to load ammunition for Admiral Sampson's fleet. We rounded Cape Maysi and steamed to the westward. We could see the semaphores of the blockhouses along the coast signaling our approach, as there was at that time no telegraph lines, the cable being cut. The late Rear Admiral Eaton (then Capt. Eaton) was in command of the ship, and to deceive the Spaniards we hoisted the British naval ensign and sailed under it all day. We were only armed with four 6-pounder rapid-fire guns, and we knew there were several Spanish torpedo gunboats on the coast. Sure enough, in spite of our war ruse, we were attacked by three small Spanish torpedo gunboats in the Bahama Channel just at nightfall, and only escaped by superior speed. We brought the news of the attack to Tampa and were corroborated by Rear Admiral Sutherland (then Lieut. Sutherland). This news kept the troops in the transports at Tampa back three days, until it was known that there were no larger vessels in the Spanish squadron. (This was the so-called phantom fleet.)

I afterwards, at the close of the war, saw the three torpedo boats in Habana Harbor, when we took the Evacuation Commission to Habana in the *Resolute*. So we have used the British flag as a ruse of war, and it was perfectly legitimate.

Sincerely,

CHAS. S. BRADDOCK, Jr.,
Late Lieutenant, United States Navy.

Home address: Haddonfield, Camden County, N. J.

The Clerk read as follows:

The space now occupied by the Bureau of Corporations in the building rented for use of the Department of Commerce is transferred to and for the accommodation of the Federal Trade Commission, and the Secretary of Commerce is directed to transfer to said commission any additional rooms or space in said building that may be required for its use.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. That paragraph directs the Secretary of Commerce to transfer to the Trade Commission any additional rooms or space which that commission may require, practically, for its use. Is it not sufficient to say "authorized"?

Mr. FITZGERALD. The committee thought that the word "directed" was the better word to use. It is intended for one year only. The committee intends to look into the matter.

Mr. MANN. I do not know who would decide what would be required, but the Federal Trade Commission might have the swelled head, as most commissions do that are created, and they might want a great deal more space than could properly be given to them.

Mr. FITZGERALD. There would not be any danger of that, I think.

Mr. MANN. Very well; I will not raise the question.

Mr. FITZGERALD. The committee intends to inquire into the matter.

Mr. MANN. But you can not inquire into it after it becomes a law.

Mr. STAFFORD. Is it not a fact that all of the present space in the Commerce Building is now occupied, and if they wish larger quarters would they not crowd out some of the others?

Mr. FITZGERALD. That was the idea at first, but the committee is of the opinion that there is much more space than is really required. We will take that up later.

Mr. MANN. I withdraw the point of order.

Mr. STAFFORD. How is the committee going to take it up later?

Mr. FITZGERALD. The committee intends to take the matter up before this bill becomes a law.

Mr. COOPER. Mr. Chairman, I wish again to say a word to call the attention of the House to the location of the Department of Commerce on Pennsylvania Avenue at Nineteenth Street NW., in rented quarters, notwithstanding the fact that the Government of the United States has for years owned a site that was purchased expressly for the purpose of erecting upon it a building for the Department of Commerce. Although we own that beautiful site facing the park south of the Treasury, suddenly a 10-year lease is executed by which the Government rents a building at the corner of the Avenue and Nineteenth Street for this department and leaves that site vacant. I call attention also to the site where it is proposed to locate the new Interior Department, a department visited more frequently by Senators and Representatives on public business than is any other department—two or three blocks the other side of the State, War, and Navy Building, on F Street—alone, isolated, awkward to reach, not related at all to any other Government building, and not in accordance with the plans for the improvement of the city of Washington.

These buildings all ought to have been located in accordance with the plan for the improvement of Washington, because unless we do locate these buildings in accordance with that plan, it will be said, whether justly or not, that there is real estate speculation and graft in the location of public buildings at these outlandish inconvenient places. People will not be apt in any other way to account for the location of these buildings. I have never been able to ascertain why we should take a 10-year lease on a privately constructed building at the corner of Nineteenth Street and the Avenue, where nobody ever

dreamed a departmental building would be located, when we had a site on which to put the structure a great deal better located and much more convenient, facing a park. Of course I withdraw the amendment; I only desired to call attention to something which it is time to stop.

The Clerk read as follows:

Estimates in detail for all expenditures under the Federal Trade Commission for the fiscal year 1917, and annually thereafter, shall be submitted to Congress in the annual Book of Estimates.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in renting buildings in the District of Columbia it must be remembered that the rent would depend very much upon the location of the building. If the building is located in a business section, the rate per square foot is very much higher than if it were located outside of the business section. The authorization for the three buildings referred to by the gentleman from Wisconsin provided a building for the Department of State, a building for the Department of Justice, and a building for the Department of Commerce and Labor. The law has not been changed so as to permit the construction of a separate building for the Department of Commerce. One reason, perhaps, why these buildings have not been advanced as rapidly as the gentleman would desire is the character of the plans of the buildings. A few years ago it came to the attention of the Committee on Appropriations that plans had been drawn for the Department of State building. They had been approved by the Secretary of State. The plans included provisions for a great banquet hall, suites of living apartments, and a kitchen and serving room. An investigation disclosed that some one had come to the conclusion that if the representatives of royalty or distinguished members of noble families of other countries should visit this country it would be highly improper to have them contaminated by that association with the ordinary American citizen which would result from providing accommodations for them in some hotel in the city of Washington. It was proposed to have several royal or regal suites in that building for the Department of State, so that when a representative of some virile or effete monarchy of Europe came to this country with his train or suite or entourage, instead of being provided with accommodations at one of the more or less palatial hostleries in the city of Washington every precaution would be taken to avoid the contamination that might result from coming in contact with the democracy of America, and he and his suite would be escorted with great pomp and installed during his more or less lengthy sojourn in Washington in these palatial and sumptuous quarters in the Department of State building.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FITZGERALD. In just a moment. I was somewhat surprised when this information was divulged. I almost said it was somewhat shocking to me, but I have reached that point in legislative life when it would be difficult for any action of certain officials in the executive departments to shock me. When I thought of what might happen to Members of the legislative body who would have acquiesced in such a scheme and appropriated money for these quarters and thereby put their approval upon such a proposition—that it might in some way harm or injure the representative of royalty or the distinguished scion of some of the noble families of the old and effete world to rub elbows with an ordinary democratic citizen who had the means of permanently sojourning at one of these hotels or had that independence of spirit that would permit him merely to pass through one of them—I thought that there was little likelihood of Congress approving such plans. Such a protest was made that the scheme was abandoned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I will ask for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. I will say that while the plans came to the committee, they never got any further. I could very easily picture what would have happened to any committee that brought a bill in here for the erection of a public building in which were the facilities I have outlined. In my opinion we had better use public funds in paying rent for distinctly office buildings, where, even if the temptation existed, an invitation that these distinguished personages should be housed there during their stay in Washington, would be refused.

Mr. COOPER. Mr. Chairman, the committee will observe that the distinguished gentleman from New York failed to refer to the rented building at the Avenue and Nineteenth Street now occupied by the Department of Commerce, but talked about an alleged plan for a building for the Department of State, a subject that had not even been touched upon during this discussion. He will not pretend that there were dining-room facilities or any other facilities provided for the "scions of effete monarchy,"

as he termed them, in the plans made for the Department of Commerce Building which it was proposed to erect facing the park on Fifteenth Street near Pennsylvania Avenue.

Mr. FITZGERALD. No; if the gentleman will permit, that was a building for the Department of Commerce and Labor.

Mr. COOPER. The gentleman said the Department of State.

Mr. FITZGERALD. I was speaking about the Department of State Building, but the other building was for the Department of Commerce and Labor; and since that time that department has been divided and two departments created, and Congress has never determined which of the two departments is entitled to the building that was authorized.

Mr. COOPER. Oh, well, Congress will have ample time to decide which department shall have it, because there is a 10-year lease of the building at the corner of the Avenue and Nineteenth Street. It will be years before Congress will have an opportunity to decide that. The 10-year lease of that building in that out-of-the-way place postpones the decision indefinitely. That is a chief point in this controversy. As to the hall of which the gentleman speaks in the proposed Department of State building, I know nothing; but have heard that it was intended to be used for international conferences and arbitrations, it being thought that the United States of America—the greatest Republic the world has ever known—would be the ideal country and the city of Washington the ideal place in which to hold such meetings of representatives of the nations.

I believe it was thought also that possibly some of the money annually appropriated to the State Department for the care and entertaining of distinguished visitors from abroad might well be used for such purpose in a building that would itself be in keeping with the dignity of the Government. I am sure that the gentleman from New York is mistaken in saying, as he did say, that the proposed building was to be so constructed in order to prevent the scions of royalty from rubbing elbows with those whom the gentleman called "common Democrats," a description that, of course, includes my friend from New York, who, I assume, is proud to call himself a "common Democrat."

Mr. FITZGERALD. I am not any special kind of a Democrat. I am just a Democrat.

Mr. COOPER. The gentleman would not want to be called an uncommon Democrat?

Mr. FITZGERALD. No; just a Democrat; neither a reactionary, common or uncommon, ordinary or extraordinary, good or bad. I am just a Democrat.

Mr. BROCKSON. Will the gentleman yield for a question?

Mr. COOPER. Yes.

Mr. BROCKSON. Did the Government contract for the lease of property at Pennsylvania Avenue and Nineteenth Street for quarters for the Department of Commerce—

Mr. COOPER. It did.

Mr. BROCKSON. Before the building was constructed or afterwards?

Mr. COOPER. I understand that the lease was contracted for before the building was started. Secretary Nagel managed it, and now the department is out there.

Mr. FITZGERALD. He got authority to make the contract before the building would be built.

Mr. COOPER. Exactly; and that is the kind of Government contract making which Congress ought to stop just as soon as it is possible to stop it. Had the proposition for that long lease been fully, clearly presented to the Members of the House, it would have been overwhelmingly defeated, for nobody then would have thought of locating a great Government department away out at Nineteenth Street.

Mr. FITZGERALD. All the information was before Congress.

Mr. COOPER. I knew nothing about it until all was done. I hear the gentleman from North Carolina [Mr. PAGE] saying that we ought to be onto the job. If the gentleman was on the job and did not protest against locating a department in that remote place, he ought to apologize to the House.

Mr. PAGE of North Carolina. The gentleman from North Carolina did know it. He has been, I think, in the Bureau of Commerce one time since they went into that building. I have many other things to occupy my time rather than spending it in these department buildings.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN (Mr. HAY). Is there objection?

There was no objection.

Mr. COOPER. To make a bad matter worse, the proposed new building for the Department of the Interior is to be put on F Street, two or three blocks west of the State, War, and

Navy Building. And yet it is the department most frequently visited by Members on public business. Does any gentleman believe that if the Members of the House had been fully informed and had their attention called specifically to it as an original, independent proposition, they would ever have voted to locate the great Interior Department in that hidden, out-of-the-way place? Here at my left is a gentleman who answers, "No; never." Of course not. But the provision was well toward the end of a long bill, as I found by hunting it up, and it went through. Here is another gentleman who says that he knew nothing whatever about it. I do not think 5 per cent of the House knew that anybody had even suggested that absurd location.

Mr. FITZGERALD. I have said that very few Members know what is in the bill except the items in which they are interested. They do not care about anything as long as they get what they want.

Mr. COOPER. The public buildings should be located with the view to the convenience of the public and the convenience of the Senate and the House, whose membership have frequently to visit them on business for their constituents. Moreover, they should be located in accordance with the plan for the improvement of the city of Washington, so that they will not only serve the public convenience and interests, but also help to make the city what it ought to be, a handsome national capital. But to take these great department buildings and put them off in out-of-the-way, unseen localities, without any reference to each other, will entirely prevent an orderly carrying out of the plan for the improvement of the city. And especially will it prevent a rebuilding of the south side of Pennsylvania Avenue. We hear it frequently said that Pennsylvania Avenue is the handsomest street in the country. It is not. A large portion of it is far from handsome, far from worthy to be a part of the great thoroughfare between the White House and the Capitol of the Nation. Two-thirds of its distance there is practically nothing about it to commend except its width. That is all. Junk shops, auction houses, old, tumble-down buildings, secondhand stores, hand-me-downs of all kinds! And it will never be improved as it ought to be improved if Congress is to locate the Government buildings, as it is now proposed to locate this new building of the Department of the Interior, out of sight, in remote, inconvenient, inaccessible places, and without even the slightest reference to any plan for the improvement of the city.

Mr. ESCH. Does my colleague know that there is a picket fence on the south side of the Avenue between the Capitol and the post-office building?

Mr. COOPER. No.

Mr. ESCH. There is.

Mr. MOORE. Mr. Chairman, will the gentleman from New York tell what provision is made in this appropriation for printing reports?

Mr. FITZGERALD. That is carried in the printing appropriation, \$15,000.

Mr. MOORE. That is separate, then, from the appropriation for the Federal Trade Commission?

Mr. FITZGERALD. Fifteen thousand dollars.

Mr. MOORE. I make that inquiry because we just had an appropriation for the Industrial Board of Mediation and Conciliation and Commission on Industrial Relations. With respect to the Commission on Industrial Relations, I understand that no provision has been made for printing the voluminous reports that are to be expected from that body, and which has been having hearings for two and one-half years?

Mr. FITZGERALD. They do not expect to make any voluminous reports, I understand.

Mr. MOORE. What is the purpose of the commission, then?

Mr. FITZGERALD. To make reports and print certain digests of testimony.

Mr. MOORE. Appropriations have been made up to date for this Industrial Relations Commission approximating \$500,000. That is a pretty large sum for digests of testimony.

Mr. FITZGERALD. The appropriations, all told, aggregate \$350,000, and this makes \$450,000.

Mr. MOORE. So long as we are on this subject, will the gentleman tell us whether in the \$100,000 appropriated in this bill to the Industrial Relations Commission provision is made for the printing of any reports at all, or will there be?

Mr. FITZGERALD. This provides that they shall do their printing out of the appropriation or out of whatever money they have on hand.

Mr. MOORE. Mr. Chairman, this Industrial Relations Commission was established by law less than three years ago. It will expire in August next. It was appointed without any special authority under the law, except to inquire as to the differences between capital and labor, the differences between rich

men and poor men, and \$100,000 was given to it for the first year of its work. When the bill was in the House the present Secretary of Labor, Mr. Wilson, who fathered it, stated that the commission was not to have any power to settle controversies, and that its only purpose was to inquire into the differences existing between capital and labor, and that it would report to Congress. It has been operating for two and one-half years, and the appropriations for continuing it have grown until approximately a half million dollars have been spent to send this handful of men and one woman into various cities of this country to drag people from their offices and their workshops to tell them what they know; and, although this testimony has been taken stenographically, we find from the testimony of the chairman of the commission before the Committee on Appropriations that the commission has not printed any reports, that it does not expect to print any reports, and that it is going to leave it to Congress to find the money to print anything Congress may want of the testimony that has been taken. Now, the commission having been at work for two and a half years, going into various cities, being heralded by the newspapers, and having this testimony taken stenographically, it is to be presumed that a vast amount of copy has been accumulated; but the chairman of the commission appears before the Committee on Appropriations and blandly says that it is up to Congress to do what it pleases—print the testimony or not.

Mr. COX. How have they spent this enormous sum of money, then?

Mr. MOORE. They have spent it in hiring professors and assistants and gentlemen familiar with the labor situation to go around the country and work up theories; they have employed people in various ways, and they have got them on their staff. They have taken learned men from the colleges—men who have hobbies—and they have put them at work; and, if some of the reported utterances of the chairman of this commission are correct, it would appear that the general disposition is to spend this money in the propagation of ideas and theories based very largely upon what is known as modern socialism. The trend has been toward proving the advisability of Government ownership; and after this vast amount of money has been spent the chairman of the commission tells the committee that if Congress wants anything in the way of printed matter it is at liberty to go ahead and pay for it. I thought it well to discuss this matter in the presence of the gentleman from New York [Mr. FITZGERALD], as it relates to the new Trade Commission. Since this seems to be an era of commissions, it might be well when appropriations are made in lump sums for commissions to take testimony and assume to gather information for the benefit of Congress, that they save enough money out of the appropriations allotted to them to print the necessary reports that Congress authorizes.

Mr. FITZGERALD. Of course, the Federal Trade Commission is a different character of body. It is a permanent institution, and its appropriations will be upon an annual basis, and the appropriations for its printing will be made the same as the appropriations for the printing of all other governmental establishments—annually—and the appropriation is carried under the Government Printing Office item, where all other appropriations for printing should be carried.

Mr. MOORE. When Mr. Walsh, the chairman of the commission, appeared before the Committee on Appropriations the gentleman from Massachusetts [Mr. GILLET] asked him:

Do you mean that out of this \$40,000 you do not expect to pay for the printing of your investigation?

Mr. WALSH. We have not.

Mr. GILLET. That represents practically the entire usefulness of the reports, does it not?

Mr. WALSH. Yes; I supposed that the Congress had some way of providing for that.

Later on, being pressed by Mr. SHERLEY as to why they did not do any printing or did not make any reservation for printing these reports, Mr. Walsh said:

I am perfectly willing to tell it to you now. I thought the Congress had the entire option, and I thought I was allowing them to exercise that option very freely.

He thought he was "allowing" Congress to exercise the option freely of spending whatever money it was desired to spend to print the reports after the commission had taken the testimony.

A little while later Mr. Walsh said, under pressure from the gentleman from Kentucky [Mr. SHERLEY]:

If that was my duty, Mr. SHERLEY, I have been very remiss in it, because, while I am prepared to tell you what we have and what ought to be printed, I have never contemplated the idea of having estimates made as to the cost of the printing.

A little later on the gentleman from Kentucky [Mr. SHERLEY] said:

And how could we proceed on any other theory? I am surprised that it could be conceivable that it was not necessary to give us that information.

Our \$500,000 Industrial Commission, through Mr. Walsh, answered:

Here is exactly what I thought about it: I supposed—in fact, it had been stated to me; I have had no previous experience with the Government and have not, of course, served in Congress and have not followed such matters, because Mr. BORLAND, who is sitting there, has naturally kept all the rest of us out of Congress. My idea was this, that if you wanted anything printed there was some way of having it ordered printed in Congress, so that we did not have to take cognizance of it in our appropriations.

A little later on Mr. Walsh suggests that the job was a very interesting one. Being pressed again by the gentleman from Massachusetts [Mr. GILLET], who said—

You might just as well finish April 1, or to-morrow, or 10 years from now—

Mr. Walsh answered:

Yes; the people who promoted this legislation just arbitrarily concluded that the job would take three years. You could go on with the job for 300 years. It is a constantly changing thing.

Being willing to spend \$500,000 of the people's money on a three years' job, Mr. Walsh says he could go on for 300 years; that the thing is constantly changing.

Then we come down to the point where Mr. Walsh gives one view that perhaps he might have given earlier—and I think this is the principal recommendation we are going to get from the commission:

I think that there ought to be some permanent body on industrial relations.

What else would a commission recommend that has traveled about the country for two and a half years at the Government's expense and been heralded everywhere as investigators on behalf of the Government, to the extent that John D. Rockefeller and Andrew Carnegie have fallen at their feet and confessed the secret of their wealth? If such a commission could obtain \$500,000 for work like this in three years, why not make it permanent? But I trust the chairman of the Committee on Appropriations will see the wisdom of inducing such commissions hereafter to save enough money out of their appropriations to pay for what it is necessary to print for the information of Congress.

Mr. COOPER. Mr. Chairman, the law under which this Industrial Commission was appointed was enacted in 1912. It provides, among other things, section 3, as follows:

That said commission may report to Congress its findings and recommendations and submit the testimony taken from time to time, and shall make a final report, accompanied by the testimony not previously submitted, not later than three years after the date of the approval of this act.

So by the terms of the law, Mr. Chairman, it was left discretionary with the commission from time to time to report the testimony as it might be taken, but at the end of the hearings all of the testimony not previously reported must be filed with the final report of the commission. This is not left discretionary with Mr. Walsh nor with anybody else. I recall distinctly, as every gentleman will who was a Member of the House at that time, the very earnest debate on the bill to create this commission. The Secretary of Labor, Mr. Wilson, was then a Member of the House, and strongly advocated the measure. If I may make a personal reference, I insisted on the provision requiring the commission to report the testimony. I have not consulted the report of the debate since that time, but I remember very well of my saying, in substance, that for Congress and the people to judge of the value of the recommendations of the commission it would be necessary for them to know the testimony upon which the recommendations were based. And if I am not mistaken, it was my amendment that was accepted by the present Secretary of Labor, Mr. Wilson, then a Member from Pennsylvania, which put that provision into the statute.

Mr. MOORE. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MOORE. Has the gentleman looked over the testimony of Mr. Walsh, given before the Committee on Appropriations?

Mr. COOPER. No.

Mr. MOORE. Mr. Walsh says he does not contemplate the printing of the testimony—he leaves that to Congress. He does not contemplate printing the testimony even of the specialists that have gone out of the colleges to work out these theories.

Mr. COOPER. It may be that Mr. Walsh did not have the copy of this mandatory law before him when he made that statement.

Mr. MANN. If the gentleman will permit me, the law does not require the commission to submit their report and testimony in print. The law does not say the commission shall print the testimony in advance. I have no doubt that Congress will print it.

Mr. COOPER. By remarks made here the impression was created that there will be no way for Congress to know the

testimony. But if the commission submit a typewritten report of all the testimony they have taken, Congress will have access to it and will undoubtedly order it printed. But it would not be able to learn about the testimony if this mandatory provision had not been inserted in the law. Of course the commission will not submit the stenographic notes of the testimony because Congress could not read them, but they will submit a typewritten report, we will know what is in it, and order it to be printed.

Now, I do not agree with the criticisms nor with the innuendo and sarcasm in the allusions made here to the Commission on Industrial Relations. I think that commission, while it may have made some mistakes—its members are human, as we all are—has been engaged in a work and has carried it out so thoroughly and well that it will result in great benefit to the country. [Applause.]

They have taken the testimony of miners, the testimony of women workers and of girl workers, the testimony of old men and of young men, poor men and rich men, people engaged in all of the principal occupations known to the United States. They have subjected these witnesses to rigid examination. They have permitted them to bring in written statements embodying their respective views and to have these printed in newspapers and circulated broadcast; and I have little doubt that their report and the accompanying testimony will contain the most suggestive and, in many respects, important statement of facts and opinions ever submitted to the Congress of the United States.

The subjects under consideration by the commission are of the very greatest significance. Never before in the history of the Republic have conditions begun to crowd as they are now crowding. The great frontier has all vanished. Men can no longer relieve congestion in cities by going across invisible State lines into unoccupied lands in the West. The frontier has been carried over the Missouri, over the Rockies to the golden shores of the Pacific, and now population has commenced to crowd just as it has long been crowding in the countries of Europe. The same problems are coming upon us. Human nature here does not differ from human nature across the sea.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER. Mr. Chairman, I do not think it just thus to assail a commission which has not yet reported, composed of men and women of the character, reputation, and ability of those who compose this industrial commission. There are persons who sneer simply because this commission has been investigating the conditions existing between capital and labor or because it dares to inquire into the origin of strikes or because it has put the widows of miners killed in Colorado on the witness stand and heard their story. Perhaps these women did not tell the truth, but they were entitled at least to have their story heard. They have told it and I have seen no intimation that anybody who heard them doubted their word. One of those women swore that she saw a militiaman with a torch in his hand set fire to the tents which housed the families of strikers, and another woman swore that in that fire three of her children were smothered to death. It does no harm to hear testimony of that kind, for if it be not true its falsity can be easily demonstrated. But if it be true—

The men who own the mines have also given testimony most important for us to read.

Others besides the commission have been busy. I received circulars purporting to give the facts of that strike. They were written by a man who lives, I believe, in Philadelphia. He was called by the commission and compelled to admit, and did admit, that a circular which he wrote contained falsehoods which seriously reflected upon some of those men. That circular was sent to Representatives in Congress ostensibly for the purpose of acquainting them with the facts of the strike, but instead it contained a very harmful falsehood.

It is well enough to let people who can not employ investigators for themselves have Congress send investigators to learn and report the facts. This commission had on the stand Mr. Carnegie, Mr. Rockefeller, Mr. George Perkins, and many others of the great capitalists of the country. Their testimony was of extraordinary interest. Congress and the country will know their viewpoint and what they think ought to be done. We will read with care what they suggest as remedies for our pressing and perplexing and troublesome conditions. All of this information ought to come to Congress and go to the country. If there are ways of remedying conditions, now exceedingly threat-

ening, it is the part of wisdom for us to have the facts upon which to base possible remedial legislation. [Applause.]

The Clerk read as follows:

Benicia Arsenal, Benicia, Cal.: For increasing facilities for fire protection, \$10,000.

Mr. CURRY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 52, line 11, after the figures "\$10,000," insert:

"For increasing storage facilities, \$25,000; for increasing the water-supply system, \$20,000: In all \$55,000."

Mr. CURRY. Mr. Chairman, Gen. Crozier, the Chief of Ordnance, appeared before the Committee on Appropriations and urged that these two items be included in the bill. He said they were necessary for the protection and for the proper care and handling of the valuable United States property at the Benicia Arsenal, but for some reason best known to themselves the committee ignored his recommendation. It must be borne in mind that the Benicia Arsenal is a depot of supplies for one-third of continental United States, and also for Alaska, the Sandwich Islands, and the Philippine Islands. Last year over 30,000 packages were shipped from the Benicia Arsenal, weighing in all over 5,000,000 pounds. On October 28, 1912, a fire occurred at the Benicia Arsenal and destroyed the storehouse. Since that time we have been unable to do anything to secure action toward the rehabilitation of the arsenal or the construction of a new storehouse. Last year at the last session \$15,000 was appropriated to put a roof on one story of the old storehouse, but that does not give storage room sufficient to care for the valuable property that is always on storage at the Benicia Arsenal. About four years ago Col. Ruggles, who at that time was the commandant of the Benicia Arsenal, called the attention of the department to the danger from fire in that storehouse. The building was of stone, but the interior was finished in wood. It was a tinder box. Col. Ruggles stated that at any moment a fire might occur that would destroy a million dollars worth of property belonging to the United States. He requested that \$8,000 be appropriated to install an automatic sprinkler system in the storehouse, but the committee, as usual, was economical and refused to appropriate that money for a sprinkler system.

In about six months afterwards, to be exact, on October 28, 1912, a fire did occur. There was no adequate fire protection, and \$1,622,000 worth of United States property was destroyed. The storage facilities are not adequate to care for the valuable property at that arsenal. A great deal of it is exposed to the weather. We have not sufficient fire protection there. The water system should be extended, and I thought it was my duty, not only as a Member of Congress from the third district, but also as a citizen, to call the attention of Congress to the conditions there, so that if anything should happen and more property be destroyed because this small amount is not appropriated, no fault could be attached to me or to the department. I am going to submit the matter to your judgment. I do not know whether you will vote for the appropriation for which you ought to vote, or whether you will stand by the committee, but I hope you will see the thing from the business man's standpoint, and vote this small appropriation to give the little additional storage room and the fire protection asked to protect the United States property at the Benicia Arsenal.

Mr. FITZGERALD. Mr. Chairman, every year the department recommends a number of improvements at various plants and properties of the Government. The committee investigates them all very thoroughly and endeavors to recommend those that are imperative from the standpoint of good Government service. Benicia Arsenal this year recommended \$10,000 for additional fire protection. There is a request for \$20,000 to be added for an additional water supply. They have two reservoirs, one of which holds 2,225,000 gallons of water and the other 250,000 gallons of water, and it is proposed to erect a dam and in that way obtain another reservoir to be connected up with the two existing reservoirs. The statement is made that it is necessary to hold a quantity of water in these reservoirs during the dry season so as to afford a protection against fire, but the committee suggested that probably by connecting the fire mains with the salt water and utilizing the pumps now installed, or provide some additional pumps, that all the water necessary for fire protection could be obtained without this additional dam and reservoir. A few years ago a large storehouse was destroyed at Benicia Arsenal by fire. It is proposed to reconstruct it, if I recall correctly, to cost about \$200,000. Instead of doing that Congress provided for the utilization of the storehouse that had not been completely destroyed. Now, it is proposed to obtain \$25,000 for another system of storage. From the investigation I have made I believe that the useful-

ness of this establishment will not be impaired in the slightest by a failure to provide these two items proposed by the gentleman from California, and as there was a necessity of exercising some care in the expenditure of public funds during this session of Congress these two items were among those which could be most easily deferred, and I hope that the amendment will not be agreed to.

Mr. CURRY. Mr. Chairman, I ask unanimous consent to proceed for a few minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CURRY. Mr. Chairman, it is true there are two reservoirs at the Benicia Arsenal, such as indicated by the gentleman from New York; but if any Member on this floor imagines that that is enough water to properly protect from fire and supply fresh water at Benicia Arsenal and Barracks, covering 339.7 acres of land and scores of buildings, they have another guess coming to them. When it comes to the proposition of using salt water for fire protection, it would cost over one-half of the amount asked for to put in a fresh-water system to provide for pumping salt water through the mains to be used in case of fire; and while it is true that salt water will put out fire just as well as fresh water, it is also true that salt water destroys the goods that it soaks. Salt water destroys leather, it destroys clothing, it corrodes and rusts iron and steel, and it would destroy all the goods that are in these storehouses; so while you are putting out the fire you are destroying the goods with the salt water. Now, I do not like to ask for an appropriation or an increase of appropriation on account of the condition of the Treasury, but I do not believe that this is money that can be properly saved to the Government. You are taking the risk of losing a great deal more property than the amount of money the appropriation calls for. As a matter of good business judgment, if it were your own plant, you would ask that these two items be appropriated. You would expend the money and use it to protect your own property. Now, that is all I am asking of this Congress, to protect the property of the United States and save a loss which may amount to millions by the expenditure of \$45,000. It is up to your judgment, gentlemen.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. CURRY. Mr. Chairman, I ask for a division.

The committee divided; and there were—yeas 23, yeas 52.

So the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that I may extend and revise my remarks in reference to the amendment offered a moment ago by the gentleman from Massachusetts [Mr. GILLET].

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, speeches already made are reasonably convincing, but needlessly make the progressive vote a factor and place stress upon the popular vote without emphasizing the fact that Presidents are elected by the States.

The returns of last November's election prove that the next House is Democratic merely because of the Democratic advantage of unanimity and near unanimity of congressional representation in Democratic States and the lack thereof in Republican States.

They prove, when carefully analyzed, that the fact of a Democratic majority in the Sixty-fourth Congress is not of the slightest significance; in other words, that it is fortuitous, or accidental.

They prove that if last year's election had been presidential the Electoral College would have contained a Republican majority over all, regardless of any showing made in the returns by third parties, such majority ranging from 19 upward.

They show that all the essential States—Connecticut, New York, New Jersey, Ohio, Illinois—which have always constituted battle grounds in presidential contests, are irretrievably lost to the Democratic Party.

I shall include in my remarks a table containing a full list of safely Republican States with reference to the next presidential election and a Democratic list which will not only contain what may be considered as safely Democratic States but several doubtful, as well as some which there is good reason to consider safely Republican States.

I give the electoral and the complete Republican and the Democratic popular vote in these Republican and Democratic States, also the congressional representation as between the same parties. Where there was a senatorial contest in the last election, I use the vote on that office. Where no Senator was to be elected, I use the aggregate vote on Congressmen.

Table showing political status of States with reference to next presidential election.

STATES CLASSED AS REPUBLICAN.

States.	Electoral vote	Vote.	Election of 1914.		Representation in Sixty-fourth Congress.	
			Republican.	Democratic.	Republican.	Democratic.
Connecticut.....	7	S.	89,983	76,081	5	.....
Delaware.....	3	C.	22,922	20,681	1	.....
Idaho.....	4	S.	47,486	41,266	2	.....
Illinois.....	29	S.	390,661	373,403	16	10
Iowa.....	13	S.	205,832	167,251	10	1
Kansas.....	10	S.	180,323	176,929	2	6
Massachusetts.....	18	C.	222,840	189,197	12	4
Michigan.....	15	C.	218,445	147,262	11	2
Minnesota.....	12	C.	180,482	87,305	8	1
New Hampshire.....	4	S.	42,111	36,382	2	.....
New Jersey.....	14	C.	179,930	167,511	8	4
New Mexico.....	3	C.	23,812	19,805	1	.....
New York.....	45	S.	639,112	571,419	22	19
North Dakota.....	5	S.	48,732	29,640	3	.....
Ohio.....	24	S.	526,115	423,742	13	9
Pennsylvania.....	38	S.	519,830	266,436	30	6
Rhode Island.....	5	C.	38,801	35,186	2	1
Utah.....	4	S.	56,281	53,128	1	1
Vermont.....	4	C.	36,980	13,685	2	.....
Washington.....	7	S.	130,479	91,733	4	1
West Virginia.....	8	C.	111,387	102,223	3	3
Wyoming.....	3	C.	21,363	17,246	1	.....
Total.....	275	.....	3,933,907	3,107,511	159	68

STATES CLASSED AS DEMOCRATIC.

States.	Electoral vote	Vote.	Republican.	Democratic.	Republican.	Democratic.
Alabama.....	13	S.	12,320	63,389	.....	10
Arizona.....	3	S.	9,183	25,800	.....	1
California.....	13	S.	254,159	279,896	3	3
Colorado.....	6	S.	98,728	102,037	1	3
Indiana.....	15	S.	226,505	271,845	2	11
Kentucky.....	13	S.	144,758	176,605	2	9
Maine.....	6	C.	60,318	60,683	3	1
Maryland.....	8	S.	94,864	110,204	1	5
Missouri.....	18	S.	257,056	311,573	2	14
Montana.....	4	C.	26,161	37,012	.....	2
Nebraska.....	8	C.	110,839	112,309	3	3
North Carolina.....	12	S.	87,095	121,241	1	9
Arkansas.....	9	S.	11,222	33,449	.....	7
Florida.....	6	S.	.....	22,761	.....	4
Georgia.....	14	S.	.....	205,652	.....	12
Louisiana.....	10	C.	.....	40,545	.....	7
Mississippi.....	10	C.	.....	36,060	.....	8
South Carolina.....	9	S.	.....	32,950	.....	7
Tennessee.....	12	C.	44,951	149,193	2	8
Texas.....	20	C.	.....	173,177	.....	18
Virginia.....	12	C.	23,654	58,320	1	9
Wisconsin.....	13	S.	134,221	135,321	8	3
Nevada.....	3	S.	8,038	8,078	1	.....
Oklahoma.....	10	S.	73,153	119,214	1	7
Oregon.....	5	S.	88,297	111,748	3	.....
South Dakota.....	5	S.	44,244	48,076	2	1
Total.....	256	.....	1,809,766	2,847,136	36	166

I do not care to complicate the clear logic of this showing by a discussion of doubtful States which I have placed in the Democratic column. But can any one doubt the Republicanism of Maine, California, Oregon, and Wisconsin in the next presidential election in view of existing political conditions?

In Oregon, while owing to the personal popularity of Senator CHAMBERLAIN, who had a margin of 23,000, the Republicans carried all the congressional districts, with an aggregate plurality of 35,000, besides electing a governor by 27,000. While I have consistently placed Wisconsin in the Democratic column because of a plurality of less than 1,000 received by the Democratic candidate for Senator over his Republican opponent, yet the Republicans elected 8 out of 11 Congressmen, with an aggregate plurality of nearly 40,000.

In South Dakota, where owing to a factional division among Republicans, the Democratic Senator was elected by 3,800, while the Republicans carried the governorship by 15,000 and had a like plurality of the congressional vote.

The extravagant claims made by Secretary Bryan soon after the election in his personally and officially manipulated organ of publicity, the Commoner, and the no less absurd and ridiculous assertion of President Wilson in his Indianapolis speech have long deserved, without receiving, a conclusive answer.

In the foregoing remarks I have endeavored, I think successfully, to place a quietus on all such absurd and far-fetched conclusions as they have drawn.

As bearing on the question of what would be the political complexion of the next Congress if the Republican States were as Republican as the Democratic States are Democratic, I call attention to the fact that these Republican States, with a total

representation in the next Congress of 227, yield 68 seats to Democrats, whereas the Democratic States, with a total representation of 192, yield only 36 seats to the Republicans. By calculation I find that Republican representation in the Democratic States is 17 per cent, while Democratic representation in Republican States is 30 per cent. If Republicans had also 30 per cent in Democratic States and the Democrats only 70 per cent, the representation in Democratic States would be 141 Democrats and 61 Republicans, and making no change in the representation from the Republican States the grand result would be 220 Republicans and 209 Democrats. And if the Democratic representation from Republican States were only equal to Republicans from Democratic States, even allowing the result from the Democratic States to stand, the delegation from the Republican States would be 189 Republicans and 39 Democrats, and the grand result would be a House containing 224 Republicans and 205 Democrats.

The Clerk read as follows:

Frankford Arsenal, Philadelphia, Pa.: Extension of double-action press shop building, \$6,000; improving facilities of the boiler plant, \$15,000.

Mr. DONOHUE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, after line 14, insert: Extension of lumber shed, \$22,500.

Mr. DONOHUE. Mr. Chairman, this item was included in the estimates submitted by the War Department. We have repeatedly essayed to show the House some of the economies which have been effected at the Frankford Arsenal, and I am prepared to submit to-day that the Government has no workshop that is better or more economically managed than is the arsenal at Frankford. Every Member of this House who has visited the arsenal has been impressed by the glaring fact that additional buildings are needed. Some few of the members of the Committee on Appropriations inspected the place last year and were convinced that there was urgent need for a new tinshop, an enlarged lumber shed, and the acquisition of additional land for testing grounds and storage buildings. The War Department submitted estimates aggregating \$245,500 for Frankford Arsenal, but the committee in their wisdom and in their desire for economy cut the amount down to \$21,000, or about one-twelfth what the War Department said was necessary. Fully appreciating the need we have for the practice of economy at this time, I still regard economy of this character as false economy. Failure to provide a sufficient lumber shed at so profitable a plant as the Frankford Arsenal is known to be is no economy whatever. I have here photographs of actual conditions, showing that expensive materials are exposed to the elements for lack of proper buildings in which to store them. The extension of the lumber shed is badly needed to relieve the congestion of the shrapnel shop, where large turret lathes are now installed. The congestion in the shrapnel shop is such that it is necessary to store boxes on the outside. These photographs show this condition of affairs.

Mr. Chairman, Frankford Arsenal being in my district, I know the conditions there very well. I know that this building is badly needed, and I trust we will not fail to appropriate the modest sum of \$22,500 for this very necessary improvement. For lack of funds the buildings are badly in need of painting, the roads are little better than dirt roads, and yet during last year the arsenal saved to the Government upward of \$1,600,000 in the manufacture of ammunition. Under improved conditions greater savings may reasonably be expected, and therefore I feel that this economical plant, this valuable workshop of the Government, should not be slighted at this time. I trust that this amendment, carrying the small sum of \$22,500, will be adopted by the committee.

Mr. HUMPHREY of Washington. Mr. Chairman, on yesterday I placed in the RECORD a letter—

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman defer that statement until we dispose of the amendment.

Mr. HUMPHREY of Washington. All right. I have no objection to that.

Mr. FITZGERALD. Mr. Chairman, the Frankford Arsenal is an important plant, and every year the committee has recommended improvements necessary to keep it in proper shape. In the bill for the current year improvements to cost \$88,000 were provided. This year there were several proposed improvements, and one very large item was \$135,000 for the purchase of land. The committee recommended two items, one for the improvement of the power plant and the other for the extension of the press shop building. It is impossible in any one year to make recommendations for all of the proposed improvements in any of these plants. The attempt is to give the things that are most

essential, that are necessary to keep the plant in a satisfactory working shape. At times the committee is able to make recommendations on a more generous scale than on others. This is not the time when improvements that may be desirable, although not imperative, should be made. I hope the amendment will not be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. DONOHUE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DONOHUE. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 28, noes 35.

Mr. DONOHUE. Mr. Chairman, I ask for tellers.

Tellers were refused.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For a storehouse for the storage of oils, etc., and its equipment, \$15,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. As I started to say a moment ago, on yesterday I placed a copy of a letter in the RECORD from Secretary of the Treasury McAdoo, in which he called attention to a report that has been submitted to the Senate by the Secretary of the Treasury and the Secretary of Commerce in response to a Senate resolution. In that letter the Secretary requested that the various Democratic Members read the first 20 pages of that report, and said that they would find them illuminating. I have taken occasion to get a copy of that report, and I find that the Secretary is correct—that it is very illuminating. I read on page 19 of the second part of the report:

There is attached to this report as Exhibit 76 a list of ships offered by the Merchant Marine Agency, J. V. McCarthy, manager, Boston, Mass., from which it will be seen that there are 15 ships of English registry and 7 of German registry which he proposes to sell. Attention also is invited to Exhibit 75, showing that other ships are obtainable.

We are convinced that within a reasonable time after the shipping bill is passed enough ships can be secured to greatly relieve and assist our foreign trade.

Now, turning over to Exhibit 75 I find a long list of ships that are for sale by the "Merchant Marine Agency," of 1123 Old South Building, Boston. One of the leading members of the Boston Chamber of Commerce has furnished me a report in regard to this Merchant Marine Agency that is enlightening. I will read it:

The Merchant Marine Agency referred to in the report to the United States Senate of the Secretary of the Treasury and the Secretary of Commerce as having a list of ships for sale, in which 15 British ships appeared, does not appear in the Boston telephone book, nor does the name appear in the Boston directory. An investigation showed that the "Merchant Marine Agency" was being conducted by one "J. V. McCarthy," with an office at 1123 Old South Building, Boston, Mass. In the Boston directory his business is given as "real estate." A visit to the office of the "Merchant Marine Agency" disclosed the fact that it consisted of one small room, in charge of a girl in Mr. McCarthy's absence. When an inquiry was made as regards Mr. McCarthy's absence and the possibility of purchasing a ship from him, the girl said that she had been instructed not to talk, and refused to give any information.

The janitor stated that the name of "Merchant Marine Agency" had been painted on the door for about 10 days, i. e., since January 18, 1915.

It seems likely that the list which was annexed to the report of the Secretaries was such a list as steamship brokers ordinarily issue, and there is nothing on its face to disclose whether the assent of the British Board of Trade had been or could be obtained to the transfer to any other person than a British subject, which consent is now required before any ship can be transferred to a foreigner. It seems absolutely safe to say that the British Board of Trade in no event would assent to the transfer of any ship where there was the slightest possibility of its being placed in trade to German ports.

Now, that is the agency that has furnished the largest list of ships for sale that is printed in this report. It seems to have come into existence just about the time it sent the list. Who is the manager, and what is this agency? That shows the character of the men who are offering these ships for sale, and, as the Secretary said, this report is illuminating. Only two or three days ago a British ship was sold in New York, but the British Board of Trade refused to ratify that sale.

Now, while I am on my feet, I want to make another statement or two that will be illuminating in regard to some of the statements that have been made by the Secretary of Commerce as well as the Secretary of Labor. According to press reports, the Secretary of Commerce makes a very pathetic statement about a man in South America that had a cargo of wool and was unable to send it to the United States because of the exorbitant freights that were charged. It so happened that on Saturday I met a former Member of this House, the Hon. James T. McCleary, and he said he had personal knowledge of that transaction, and that what the Secretary of Commerce had stated about it was true, but that he did not state all of the truth. He said that American bottoms had been offered to carry

this wool, but the man could not take advantage of it because he had entered into a conference agreement with foreign lines that ran to South America, and if he sent his wool by any other line he stood to lose a large rebate, so large he could not afford to take the chances. Mr. McCleary gave me information in regard to another statement that the Secretary of Commerce made, of a similar character. The Secretary illustrated the need for this shipping bill by citing the fact that a certain man in South America had a cargo of rags to send to this country, and that he was unable to ship them, and Mr. McCleary said that that was absolutely true, but the Secretary again did not tell all the truth there, because there had been a quarantine issued against the shipment of rags, and even if all the vessels afloat on all the seas had been there those rags could not have been shipped. So that is another illuminating statement upon this shipping question.

And I hope that my friends upon that side of the aisle will follow Secretary McAdoo's advice and read this illuminating report. And if I had time and would not think that somebody would make a point of order that I was not talking in order I would read more of it now.

Mr. DONOHUE. Mr. Chairman, I move to strike out the last word.

On Friday last, during the consideration of the naval appropriation bill, a colloquy arose between my colleague [Mr. MOORE] and the gentleman from Illinois [Mr. BUCHANAN] regarding a certain "bonus" system of compensation at Frankford Arsenal. The system had been in force at the arsenal since 1910, but was recently discontinued by order of Gen. Crozier, Chief of Ordnance.

Mr. MOORE. I want to ask the gentleman whether or not he knows that there is quite a protest on the part of employees against stopping the bonuses that have been received for extra work?

Mr. BUCHANAN of Illinois. I will say to the gentleman, if he will yield, that my information on this is that the protest has been worked up by the officers in the Frankford Arsenal, who are opposed to this legislation, just as employers always seem to be able to find some employees whom they can coerce or influence in some way to come and oppose eight-hour measures, like they did the woman's eight-hour day here and in Illinois. So far as its being the position of the majority of the employees who have courage to speak for themselves, I do not believe there is any truth in the statement that they are opposed to it.

Mr. Chairman, it is not my intention to add anything now to what I said at that time regarding the bonus system; but I do feel that I should say something in reply to the charge that the protest against the order discontinuing the payment of bonuses was "worked up" by the officers of the Frankford Arsenal.

I am sure the gentleman from Illinois would not intentionally misrepresent anyone, either officer or employee, and I believe he will be glad to know the facts in the case.

When the order in question was promulgated there was heard quite a storm of protest, especially from the female employees of the arsenal. At the request of a number of the employees affected I called at the arsenal, which is in my district, to get particulars at first hand.

The commanding officer, Col. Montgomery, gave us the use of his office and he and every other officer withdrew while the representatives of both sides, those who favored and those who opposed bonuses, had full and free opportunity of giving their views without interference from anyone. The conference lasted upward of an hour, during which time neither the commandant nor any other officer entered the room. From what I saw and heard while at the arsenal I am convinced that there was no working up of sentiment except by the employees themselves.

In view of these facts and in justice to Col. Montgomery and the other officers at Frankford Arsenal, I feel impelled to make this statement. Having known Col. Montgomery for many years, I can say, in truth, that I have met few men so fair to the employees, so sympathetic of their needs, or so considerate of their safety, their comfort, and their general welfare. It is not right to charge such men with "working up" a sentiment against anything that might make for the betterment of the condition of the arsenal employees. Indeed, I feel that the cause which is sought to be thus helped is often hurt by such reckless and unjust charges.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. DONOHUE. Yes.

Mr. MOORE. It is true that the employees round about the arsenal there have various associations of their own and get together and talk these questions over, is it not?

Mr. DONOHUE. It is.

Mr. MOORE. They have a perfect right to do that?

Mr. DONOHUE. Yes; certainly.

Mr. MOORE. Sometimes they pass resolutions and send them forward to Congressmen, do they not?

Mr. DONOHUE. That is correct.

Mr. MOORE. I know I have received some.

Mr. DONOHUE. We all have.

Mr. MOORE. And we treat them as any Representative should treat a communication from his constituents. I think the gentleman has received many of them.

Mr. DONOHUE. I have.

Mr. MOORE. May I ask the gentleman concerning the movement to which he refers? There was an honest and bona fide complaint on the part of employees that their wages had been reduced by the abolition of the bonus system. Is not that true?

Mr. DONOHUE. That is quite true.

Mr. MOORE. That, irrespective of the merits of any speeding-up system, or Taylor system, or whatever it may be called, many of them who were doing good work had had their wages reduced?

Mr. DONOHUE. That is correct; and, unfortunately, the loss falls on those least able to bear it, namely, the women and unskilled men.

We frequently hear similar sweeping charges against employers in general, as if all of them were totally devoid of human feeling and aimed only at spurring their employees to the utmost limit of their power. If there be justification for any such general charge against employers of labor, then I can only say that I have been fortunate in meeting employers of a very different type. Those whom I have known were ever considerate of the health, the comfort, and the happiness of their working forces, skilled and unskilled, while, on the other hand, some so-called leaders whom I have met were most noticeable for their indifference to all workers outside their own particular class or craft. I have known employers who hesitated to install labor-saving devices until provision could be made for faithful employees who would thereby be displaced. As one who is in sympathy with the cause of labor and as one who has supported every measure aiming to better the lot and lighten the burden of the masses of our people, I feel that I have a right to pay this modest tribute to some good men, some good employers, whom it has been my pleasure to know. [Applause.]

The CHAIRMAN. If there be no objection the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For repairs to roadways to national cemeteries which have been constructed by special authority of Congress, \$12,000: *Provided*, That no railroad shall be permitted upon the right of way which may have been acquired by the United States to a national cemetery or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. MANN. I move to strike out the last word. May I ask why it is that the committee provides that no portion of the appropriation for repairs to roadways to national cemeteries shall be expended outside of the corporate limits of a city?

Mr. FITZGERALD. That is not the provision. It is "within" the corporate limits.

Mr. MANN. This says:

Provided further, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. FITZGERALD. That is right.

Mr. MANN. You can not spend it on any roadway unless it is owned by the Government within the corporate limits of a city. That is what it says.

Mr. FITZGERALD. It says that no part of this money shall be spent on any roadway not owned by the Government within the corporate limits of a city.

Mr. MANN. That is it. You can not spend it on any roadway anywhere unless it is a roadway owned by the Government within the corporate limits of a city.

Mr. FITZGERALD. No.

Mr. MANN. That is what it says.

Mr. FITZGERALD. Oh, no; it does not say that at all. It says: "No part of this sum shall be used for repairing any roadway"—

Mr. MANN. Not owned by the United States within the corporate limits of a city.

Mr. FITZGERALD (continuing). "Which is not owned by the Government within the corporate limits of a city." It is very clear.

Mr. MANN. That is what it says.

Mr. FITZGERALD. It is well understood, both by the War Department and the gentleman from Illinois, and its purpose is to prevent this appropriation from being spent in improving roadways within the corporate limits of towns because a road owned by the municipality happens to be the leading approach to a national cemetery.

Mr. MANN. It may be that the War Department is not able to read or construe plain English.

Mr. FITZGERALD. It is very clear.

Mr. MANN. Yes; very clear.

Mr. FITZGERALD. It sparkles like a crystal.

Mr. STAFFORD. I move to strike out the last two words. I rise to direct the attention of the chairman whether in the paragraph on page 56, line 13, the word "fourteen" should not be "thirteen"? I have referred to the sundry civil appropriation act of August, 1914, and I believe that the section which the committee has in mind is section 13.

Mr. FITZGERALD. It should be section 13. I ask unanimous consent to change the word "fourteen," in line 13, page 56, to the word "thirteen," so that it will read "section 13."

The CHAIRMAN. The gentleman from New York asks unanimous consent to change the word "fourteen" to "thirteen." Is there objection?

There was no objection.

Mr. STAFFORD. In this connection, Mr. Chairman, I wish to inquire what is the necessity of making these authorizations when the head of any governmental establishment has the authority to grant these per diems in lieu of subsistence?

Mr. FITZGERALD. The law requires specific estimates to be submitted for this purpose, and it was believed that by incorporating the provision in the bill the committee would be more likely to keep track of them in the future. If it was not included here, attention would not be directed to the fact that per diems are paid out of certain appropriations, and it is desirable to have the attention of the committee drawn to that, so that inquiries will be made as to what is done in that direction.

Mr. STAFFORD. Is this for the purpose of having a further segregation, so that the committee may know the amount?

Mr. FITZGERALD. No; it is to insure investigation by the committee when the items are considered.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Disposition of remains of officers, soldiers, civilian employees, etc.: For interment or of preparation and transportation to their homes or to such national cemeteries as may be designated by proper authority, in the discretion of the Secretary of War, of the remains of officers, including acting assistant surgeons, and enlisted men of the Army active list; interment or of preparation and transportation to their homes of the remains of civil employees of the Army in the employ of the War Department who die abroad, in Alaska, in the Canal Zone, or on Army transports, or who die while on duty in the field or at military posts within the limits of the United States; interment of military prisoners who die at military posts; removal of remains from abandoned posts to permanent military posts or national cemeteries, including the remains of Federal soldiers, sailors, or marines interred in fields or abandoned private and city cemeteries; and in any case where the expenses of burial or shipment of the remains of officers or enlisted men of the Army who die on the active list are borne by individuals, where such expenses would have been lawful claims against the Government, reimbursement to such individuals may be made of the amount allowed by the Government for such services out of this sum, but no reimbursement shall be made of such expenses incurred prior to July 1, 1910, \$57,500.

Mr. MANN. Mr. Chairman, I suggest that the word "of," in line 23, page 8, and also in line 3, page 59, should go out. It was left in inadvertently when the language was changed. The item used to read "for expense of interment," and the word "expense" was left out.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the word "of," in line 23, page 58, and line 3, page 59, be stricken out.

The amendment was agreed to.

The Clerk read as follows:

NATIONAL MILITARY PARKS.

Chickamauga and Chattanooga National Park: For continuing the establishment of the park; compensation and expenses of civilian commissioners; maps, surveys, clerical and other assistance, including \$300 for necessary clerical labor under direction of the chairman of the commission; maintenance, repair, and operation of horse-drawn passenger-carrying vehicle; office and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; roads and their maintenance; purchase of small tracts of land heretofore authorized by law; in all, \$55,260.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask what is the reason for having passenger-carrying vehicles at Chickamauga and Chattanooga National Park and Shiloh, and not at Gettysburg and Vicksburg?

Mr. FITZGERALD. At Shiloh they have an automobile and at Gettysburg they have a horse and wagon.

Mr. MANN. At Gettysburg there is no provision for a horse and wagon. There is one provided for in Chickamauga and one for Shiloh, but none for Gettysburg or Vicksburg. Why do they need them more in one place than in another?

Mr. FITZGERALD. They say they have a great many miles of road. Shiloh is isolated from any town on the river and not as accessible as other parks.

Mr. MANN. I supposed that the Gettysburg park was more extensive than any of the others.

Mr. FITZGERALD. But there is quite a community right at Gettysburg.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

Gettysburg National Park: For continuing the establishment of the park; acquisition of lands, surveys, and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; fences and gates; marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts and compiled without censure and without praise; preserving the features of the battle field and the monuments thereon; office for the commissioners in Gettysburg; compensation of civilian commissioners, clerical and other services, expenses, and labor; purchase and preparation of tablets and gun carriages and placing them in position; and all other expenses incidental to the foregoing, \$45,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 62, lines 3 and 4, strike out the words "office for the commissioners in Gettysburg."

Mr. FITZGERALD. At Gettysburg there is now a public building. I am informed that the office of commissioners is in the public building, and that there is no necessity for renting any office for them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. In the vicinity of Gettysburg we have many productive farms. It is not generally known, but there are probably more individual farmers in the State of Pennsylvania than there are in any other State in the Union. They are vitally interested in questions of freight and transportation, which leads me to suggest that the Secretary of the Treasury has also been taking a very general interest in these questions recently in endeavoring to have passed through the Senate the shipping bill by which, through the expenditure of \$30,000,000 belonging to the people of the United States, we shall purchase foreign ships in which to transport both American and foreign merchandise.

The Secretary of the Treasury, speaking for the President of the United States, who has indicated this day that an extra session may be called if the shipping bill is not passed, thus proving conclusively that he does not unduly influence legislation, has insisted in certain official reports that unless the shipping bill is passed, and we take from the Treasury of the United States—already depressed to the point of a deficit—\$30,000,000 to pay for foreign ships built by foreign labor, the farmers of the country will have to pay the freight to get their grain and cotton abroad.

Now, much has been made by the Secretary of the Treasury of this argument that the farmer must pay the freight to the man who operates the ship. Hence, if the Government owns the ship, according to the administration contention, the situation will be different, and the farmer will be relieved of paying freight. I can not understand this kind of reasoning. The report which the Secretary of the Treasury, fortified by the Secretary of Commerce, recently made to another body in support of the argument for the passage of the ship-purchase bill states:

In other words, the increased ocean freight tax arbitrarily imposed upon our farmers and business men for the month of December, 1914, only was \$18,018,700. If exports by sea continue for the 12 months of 1915 at the December, 1914, rate, and the ocean freight charges are the same as for December, 1914, the American farmers and business men will pay to shipowners (principally foreign) increased freight charges above the normal rates of \$216,224,400, or more than five times the \$40,000,000 which the Government proposes by the shipping bill to put into American ships for the protection of our foreign commerce.

In other words, in support of his desire to take \$40,000,000 away from the American people and give it to the foreigner for ships constructed over there at cheap wages, the Secretary argues that the farmer will continue to pay the freight on what he sends abroad. He makes the same argument with regard to the business man.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. MADDEN. The Secretary of the Treasury did not make any statement like this when he was making that report, did he, that ships carrying cargoes abroad are obliged to wait 30 days on the other side to unload; that it costs about \$1,000 a day for every day a ship lies waiting to get to the dock; and that the ship is obliged to come back without cargo; and that if any profit is to be earned on the trip of the ship, all of these expenses must be included on the freight rates?

Mr. MOORE. Mr. Chairman, I think the Secretary of the Treasury is so anxious to pass this shipping bill, which proposes to take our money to buy foreign ships, that he entirely overlooked the fact to which the gentleman from Illinois [Mr. MADDEN] refers. I have no knowledge of his having brought the attention of Congress to that at all, but he is trying to make the people understand, the farmers in particular, that unless they fall in with this ship-purchase scheme of the administration they will have to pay the freight or an increased freight on what they send abroad. The Secretary of Commerce has been talking this way on his various trips throughout the country, agitating for his measure, and he has been leading the farmer to believe that unless we take the farmer's money to buy the foreign ships, and close up the American shipyards, then the farmer will have to foot the freight to get his cotton and grain to the foreign market.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. SMITH of New York. I would like to ask the gentleman from Pennsylvania where he gets authority for the statement that the President will call an extra session if the ship-purchase bill is not passed?

Mr. MOORE. Mr. Chairman, I have it from the very best authority, the very highest authority, that unless the shipping bill is passed before the 4th of March there will be an extra session on the 5th of March, and, of course, this does not mean at all, nor is it to be construed in a legal sense as meaning, that the President in any way desires to unduly influence the legislative body in the passage of a shipping bill.

Mr. SMITH of New York. The gentleman is not willing to state his authority?

Mr. MOORE. If I did, I would violate a confidence, but I think the gentleman will see it in the afternoon papers and probably in the morning papers, under display headlines, because almost everyone except the President wants to avoid an extra session. The whole country is tired of Congress being in session, and nobody believes in holding an extra session and continuing the burden of expense to which we are putting the people, except that little coterie who wants to buy a lot of foreign ships. They have some reason for wanting to buy these ships which we have not yet been able to understand.

I heard a rumor this morning that the ships they want to buy are not the ships that were referred to in the remarks of the gentleman from Washington [Mr. HUMPHREY] a little while ago, but the ships that are now interned—ships of the Hamburg-American Line and the ships of the North German Lloyd—ships that were built for passenger traffic, ships that the Germans can not get, ships that were never intended to carry abroad the products of the farm, the cattle, the grain, and the cotton of this country—ships that were built to carry passengers.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. HUMPHREY of Washington. The gentleman knows, of course, that these German interned ships are utterly unfit for carrying freight?

Mr. MOORE. They would have to be disemboweled in order to carry the freight of the farm. Possibly they could be rebuilt in the United States under our new ship laws, but it is more than likely, under our new freedom, even that work would be done in foreign yards, where American workmen would have no chance at it.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. PLATT. Did the Secretary of the Treasury say that the farmers paid this freight?

Mr. MOORE. Mr. Chairman, as to that, here is the report of the Secretaries:

To show what the burden imposed on the farmers by these high ocean freight rates means, it is necessary only to bring out the fact that while the total freight cost on our exports by sea for December, 1914, was \$30,742,500, the great commodities of grain, cotton, and flour bore \$11,782,250 of this charge—or more than 36 per cent of the entire freight cost on all exports by sea for December, 1914.

It might be well in addition to say to the gentleman from New York [Mr. PLATT] that to-day's dispatches from New York help us out in this shipping dispute by reporting that this year's exports from New York to date total \$148,146,690, as against

\$119,413,507 in the same period last year. That shows that our commodities are going abroad all right.

Mr. MADDEN. That was due to the fact that grain was being shipped abroad.

Mr. MOORE. Yes; grain was being shipped, of course, and if it were not for the foreign or domestic speculators who are in the business of piling it up at the ports to-day, there would not be any congestion; and the trouble is not on this side, as it is on the other side, where the ports are unable to accommodate the ships that are going over there.

Mr. FESS. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. FESS. If the gentleman will yield for a moment: If grain is congested on the wharves and can not find a market, why would it be worth so much to-day as from \$1.48 to \$1.60?

Mr. MOORE. Well, I think the price is determined largely by the demand for it. In the large cities we are not getting any benefit from the advance—

Mr. FESS. I meant if they could not ship it, it would not be worth so much?

Mr. MOORE. Of course not. If there was such a frightful congestion of grain as the Secretary of the Treasury has tried to show at the various ports, the presumption is that the price would fall. That is what is the matter with cotton.

Mr. ALEXANDER. Will the gentleman yield?

Mr. MOORE. I will yield to the gentleman from Missouri.

Mr. ALEXANDER. It costs about 30 cents a bushel to ship wheat from New York to European ports, and according to the gentleman's theory that does not have any influence on the price paid for wheat here.

Mr. MOORE. That does not indicate that the farmer pays the freight, but I was endeavoring to answer the gentleman from Ohio. As to the question of the gentleman from Missouri, I would say that I was commenting upon the report of the distinguished Cabinet officers who are interested in the passage of the shipping bill. They are endeavoring to make the farmer who raises grain believe that unless the shipping bill is passed, and passed before the 4th of March under the penalty of an extra session, then the farmers will have to pay additional freight. It was that attitude of the Secretaries I was trying to explain.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE. I would ask that my time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania. [After a pause.] The Chair hears none.

Mr. ALEXANDER. Does the gentleman want the country to understand he is indifferent to the price the farmer shall receive for his product?

Mr. MOORE. I certainly do not. I want him to receive the best price for his product that it is possible for him to receive.

Mr. ALEXANDER. And that the freight charge has nothing to do with the price he receives for his product.

Mr. MOORE. We are speaking of the foreign price now.

Mr. ALEXANDER. It does not make any difference—

Mr. MOORE. I am submitting a statement made by these two distinguished Cabinet officers, that unless we have these foreign ships which the administration desires the farmer will pay the freight, a proposition which I am undertaking to dispute.

Mr. ALEXANDER. A Cabinet officer did not make any such statement as that.

Mr. MOORE. I have just read two sections of an official statement by the Secretary of the Treasury and the Secretary of Commerce, transmitted to the Senate December 29, 1914.

Mr. ALEXANDER. The gentleman misrepresents the statement.

Mr. MOORE. I have read literally from the statement. The gentleman can find it in Senate Document No. 673, Sixty-third Congress, third session.

Mr. ALEXANDER. I have read the statement, and I challenge the correctness of the gentleman's interpretation of that statement.

Mr. MOORE. We have also had the views of these gentlemen from time to time in the public press. I now desire to read from the editor of the *Annalist*, a magazine of business, commerce, and economics, published in New York, wherein the editor says:

There is no limit to the possibilities of the theory which Mr. McAdoo expounds. It is a poor rule that does not work both ways, and apparently the same is true of a theory, for after having set forth that the American producer has to pay the freight on his products Mr. McAdoo argues that the American consumer will pay the freight on what he consumes. Instead of being a land blessed beyond all others, we seem to be so peculiarly unfortunate that economic laws are reversed against

us and in favor of the foreigner. We have, Mr. McAdoo tells us, not only to pay the freight on our imports, which everybody knew, but also on our exports, which nobody knew until the administration discovered it.

Mr. ALEXANDER. The gentleman is quoting somebody else than Mr. McAdoo there.

Mr. MOORE. If the gentleman will permit me, I now desire to read from the *Journal of Commerce*, published in New York on the 1st of February, giving this additional answer to Mr. McAdoo on his theory about the necessity of our buying these foreign ships in which to carry American commerce abroad. It also deals with the freight question on which the farmers are being misinformed:

There are several grossly false assumptions in this statement regarding advances in rates and the cause of them, and delusions about the effect upon our trade, but there is nothing else quite so shallow and absurd as the bold claim that the whole freight charge is imposed upon our farmers and business men and deducted from the prices which they should receive. For the things largely exported, except our great surplus of cotton, unusually high prices are received and large profits are realized. The price here is determined by the exceptional European demand, but the freight charges are added to the prices paid in Europe. Directly, the freight is paid by the foreigners who receive the goods. The fact that they have it to pay increases the price to them, but it does not reduce it to the American farmer. The prices we pay for imports are affected by the freight charges, but these have not been greatly increased because the demand for cargo room is much less coming this way, and the import trade is restricted and not expanded by the war. The statement about the effect upon "our foreign-trade balances" is too idiotic for serious comment.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. MOORE. Yes; if I have time.

Mr. ALEXANDER. If I understand the logic of the gentleman's statement, which he adopts as his own, it is that we as a nation ought to be indifferent to the cost of the transportation of our commodities to foreign markets.

Mr. MOORE. Not at all. I answered that before.

Mr. ALEXANDER. Because the foreigner pays the cost of transportation—

Mr. MOORE. In this instance, the foreigner pays the freight.

Mr. ALEXANDER. Hence in extending our commerce to accommodate agriculture and manufactures and the general commerce of this country we should be indifferent to the price the foreign ship lines pay for the transportation of products. Is that what the gentleman wants the country to understand?

Mr. MOORE. No; I do not want to be indifferent; I want the country to know the facts.

Mr. ALEXANDER. That is what you are arguing right now.

Mr. MOORE. As I understand the gentleman, he is arguing that the Secretary of the Treasury contends that the farmer does pay the freight when he sends his goods abroad.

Mr. ALEXANDER. I do not say that he pays the entire cost at all.

Mr. MOORE. The Secretary of the Treasury has been arguing that the farmer did pay the freight.

Mr. ALEXANDER. Your position is that he does not pay any part of it, and it is a matter of indifference what they charge.

Mr. MOORE. Not at all. I want the farmer to get the best of the bargain; but I do not want the administration, or a Cabinet officer, no matter how influential nor how desirous he may be to pass a bill in this House, to mislead the farmer by arguing that he pays the freight on grain when the foreigner pays it.

Mr. ALEXANDER. We have ships sufficient to transport our commodities to foreign countries.

Mr. MOORE. And we are doing it now.

Mr. ALEXANDER. And because of the excessive freight rates—

Mr. MOORE. We are doing it now. The gentleman knows that there has been an abnormal condition; but, despite that fact, the ordinary business has been carried in the usual way.

Mr. ALEXANDER. I deny that.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. Mr. Chairman, what is the request?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended two minutes. Is there objection?

Mr. DONOVAN. If the consideration of this appropriation bill is over, I am going to make the point of no quorum. It is too painful to sit here and listen to that, and the gentleman ought not to punish the rest of us. It is imposing upon his associates.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that his time be extended two minutes? [After a pause.] The Chair hears none.

Mr. MOORE. It may be painful to the gentleman from Connecticut; no doubt it is; but, Mr. Chairman, business men generally know that the pretense that is being set up by the administration, with regard to Americans paying the freight on what is now sent abroad, is unjustifiable. Here is a letter from Mr. Frank S. Evans, representing Strawbridge & Clothier, one of the largest business houses in the city of Philadelphia. He knows about shipping, and advises me thus:

Any business man knows that no question of the freight is figured as far as the seller is concerned. He sells his goods regardless of what the purchaser pays to get them to himself, except in rare instances; certainly no farmer delivers his goods at the price he sells them for abroad. The farmer merely delivers the goods to his primary market and gets his price at that point.

Now, Mr. Chairman, with further reference to what the gentleman from Missouri [Mr. ALEXANDER] has said in his questions to me, I desire to repeat that it is not in good taste for the Secretary of the Treasury or the Secretary of Commerce or the President of the United States if he indorses what they have said, to go about the country working up sentiment to pass an iniquitous shipping bill, which takes \$30,000,000 out of the pockets of the people to buy foreign ships and attempt to frighten farmers and business men into believing that it will be necessary for them to contribute to this scheme or suffer freight charges which they are not now required to pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, this is a very important subject, and I think we should have all the light we can secure upon it. Under leave to extend, granted me yesterday, therefore, I submit two interesting and pertinent statements, one from Mr. Frank L. Neall, of Philadelphia, to whom I referred yesterday, and another from Mr. William D. Winsor, of the old American Winsor Line, which operated between Philadelphia and Boston. Mr. Neall's letter throws an interesting light upon the shipbuilding situation in England and confirms rather positively the criticism I have made of the Cabinet officers' declaration that the farmer pays the freight. Mr. Winsor's article is illuminating in its analysis of the purpose and effect of the shipping bill upon which the administration seems to have set its heart.

VOLUME OF SHIPBUILDING—PROFITS OF SHIP OWNING.

PHILADELPHIA, February 10, 1915.

Hon. J. HAMPTON MOORE,

House of Representatives, Washington, D. C.

MY DEAR MR. MOORE: H. E. Moss & Co.'s semiannual steamship circular, dated January 1, 1914, says: "In issuing our present semiannual steamship circular we are gratified to be able to state that within a period of over 50 years in which we have been continuously connected with the steamshipping industry we find no trace among our previous records in which steamship owners have realized such profits as they have done during the last few years, and we are glad our recent predictions have proved correct. * * * The tonnage under construction for the quarter ending December 31, 1913, exclusive of warships, exceeds all previous records in this country as well as abroad. We estimate the amount of merchant shipping presently building in the United Kingdom alone will not be less than 2,200,000 gross register tons. Most of this tonnage consists more especially of high-class liners and tankers than ordinary tramp steamers. Many of our important builders have sufficient work on hand to keep them occupied during the whole of this year. There are some, however, already feeling the present dearth of orders who can give fairly quick delivery."

NOTE.—Total tonnage of world, all nations, prior to 1914 (June) 50,000,000 tons.

Circular dated January 1, 1915, says: * * * "At the present moment most of our shipyards have sufficient orders to last them well into 1916, and few builders can give earlier delivery. Prices for building have advanced in six months from 10 to 20 per cent, and what new steamers were building on speculation have been nearly all disposed of. Secondhand tonnage is difficult to obtain, except at extreme prices, and large profits have been quietly realized. The amount of tonnage under construction on January 1, 1915, will, we anticipate, be greater than it has ever been before and well above 2,000,000 tons."

The old adage, "Never fish for clams at high water," was never more applicable than at the present moment as regards prices at which ocean steamers are selling, and ocean rates of freight securable. There is much of the earthquake or volcanic characteristics in each of those factors at the present time. This morning, we have reports of annexed charters, and as to rates, exceed anything previously, we believe, that was ever recorded, and to us indicate that Germany is in the extremity for wheat.

Please realize that these freight rates are not paid by any farmers, wheat speculators, or wheat owners in the United States. The wheat has probably been secured some while back for account of foreign interests and is now seeking transportation to ultimate destination. One of the undernoted vessels gets an ocean freight equivalent to 42 cents per bushel on wheat. When the war broke out wheat was selling in Chicago at only 35 cents per bushel higher than ocean freight herein referred to. I have often heard line steamship managers say that they would be perfectly satisfied never to see ocean freight on grain by line steamers over 6 cents per bushel, as that would obviate competition from tramp steamers.

GRAIN CHARTERS REPORTED IN NEW YORK JOURNAL OF COMMERCE, WEDNESDAY, FEBRUARY 10, 1915.

Norwegian steamer *Bra Kar*, 32,000 quarters from the Atlantic range to Copenhagen, 13s. 6d. per quarter, March shipment.

Norwegian steamer *Sigram*, 16,000 quarters, same destination and same shipment, to Denmark, 14s. per quarter.

Yours, truly,

FRANK L. NEALL,

[Statement by William D. Winsor. From the Philadelphia Public Ledger.]

STEAMSHIPS TO BE RUN BY POLITICIANS—FOLLY OF THE GOVERNMENT PURCHASE BILL POINTED OUT BY A SHIPPING EXPERT.

All indications point to the intention of the Government to purchase vessels from the fleet of German steamers now interned in the various ports of this country.

Leaving out entirely the question of international complications, which would undoubtedly arise in the event of such purchase and operation by the Government, and looking at the matter entirely from a practical business point of view, the following items present themselves at once for consideration.

I name at random a few of the steamers in question, giving tonnage, speed in knots, and first, second, and steerage passenger accommodations:

HAMBURG-AMERICAN LINE.

Vessel.	Tonnage.	Speed (knots).	Passenger accommodations.			
			First-class.	Second-class.	Third-class.	Steerage.
Vaterland.....	54,282	24	800	550	900	1,600
President Lincoln.....	18,168	14½	285	200	700	2,000
President Grant.....	18,072	14½	285	200	700	2,000
Pennsylvania.....	13,338	13½	.....	550	200	1,800
König Wilhelm II.....	9,410	15½	280	100	.....	1,200
Hamburg.....	10,531	16	175	100	.....	1,000
Amerika.....	22,622	17½	470	400	200	1,500
Cincinnati.....	16,339	15½	275	300	500	1,500

NORTH GERMAN LLOYD.

Vessel.	Tonnage.	Speed (knots).	First-class.	Second-class.	Third-class.	Steerage.
George Washington.....	25,570	19	565	433	452	1,450
Kaiser Wilhelm II.....	19,361	23	777	342	.....	799
Grosser Kurfürst.....	13,102	15½	379	370	.....	1,676
Barbarossa.....	10,984	14	269	236	.....	1,588
Prinzess Irene.....	10,893	15½	233	166	.....	1,689
Friedrich der Grosse.....	10,771	15½	232	223	.....	1,671
Kronprinzessin Cecilie.....	19,503	23	729	298	.....	800

These vessels are designed and constructed primarily for passenger traffic and freight is of secondary importance. Speed is a necessary requisite, in order to obtain which the lines of the steamers are very fine and not those which give the greatest cargo capacity. Their boiler and engine power and consequent consumption of coal are very great. They are constructed in every way with a view to the carrying of passengers, and the space taken up for their accommodation is a very large percentage of the carrying capacity of the hull. To cater to the tastes of the present first-class ocean travel they are fitted in a most luxurious manner; in fact, they are floating hotels.

One can hardly imagine that the stupendous ignorance and want of knowledge shown by the authorities at Washington in this matter would go so far as to lead them to engage in the passenger business, which includes transportation of immigrants in the steerage, all of which involves the establishment of thousands of agencies all over this country and Europe, to say nothing of the necessarily large stewards' department, provisioning of the ships, and equipment of the table.

If they did not engage in the passenger traffic everything in the equipment pertaining to this would be of worse than no use and an encumbrance. Therefore, if they were confined to the freight trade, the whole of this would have to be torn out and the ship adapted for freight purposes, the expense of which would be enormous; and even if this were done the lines and model of the steamer would not permit of loading her to full capacity, and the expense of running her owing to her engine equipment would be very high.

In view of all this, the project seems to be absolutely indefensible from a business point of view, and could only result in a very great loss.

Imagine a fleet of this character, conducted under the able and efficient management of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce, who are, of course, educated by years of experience in the intricacies of conducting steamship lines. Imagine the fleet open to favoritism in the appointments that would be made at the instigation of Members of Congress. In fact, summing it all up in a few words, the line would be run under the domination of politicians.

It is supposed among other things that private capital will come forward and absorb eagerly the 40 per cent, or minority of the stock, leaving it to be managed by the 51 per cent Government ownership. Would any sane man invest a dollar in an enterprise so conducted?

It is stated to be the intention of a beneficent administration to build up the American merchant marine. How can the few steamships that we have left in the foreign trade contend against a Government-owned line, which makes no charge in its operation of interest on investment or depreciation, and which carries its own insurance, and every one of these items has got to be considered in the long run, and when they materialize will result in a deficit which would be met by the Treasury and become the basis of further taxation? Even supposing—which I do not admit—that in the abnormal condition of very high ocean rates now prevailing there should be an apparent profit, or the return to former and normal conditions the losses would be enormous for reasons already given.

Competition under such conditions would be still more difficult and impossible than it is to-day against the subsidized lines of foreign nations, and the result would be to drive the few remaining steamships which we have left off the ocean.

The American shipbuilders and vessel owners have shown themselves in the past capable of competing with those of any other nation, but they can only do so successfully where they are upon equal terms; and the foreign shipowner, in addition to exemption from the absurd and onerous restrictions of our navigation laws, mainly passed at the dictate of the labor unions, is additionally aided by many nations with a subsidy, which is abhorrent to many Members of Congress, and is spoken of as aid given with the money of the people. What is the difference between the increased cost under a protective duty paid by the customer on a yard of broadcloth and the application of a subsidy which enables steamship lines to be run for the benefit of all? Mainly, it is that in

one instance the application of the duty is not seen and in the other it is regarded as money paid directly to the steamship owner, but the principle is exactly the same.

If by the payment of a few millions in the way of subsidy the country can obtain the benefit of the many millions—estimated at \$200,000,000—now paid into the coffers of foreign nations in the way of freight money, would it not be a gain for the Nation, and certainly in one instance the amount so expended would be known, but in the case of a Government owned and operated steamship line it would be infinitely greater, and never disclosed.

If the American ships were protected in this manner it would at once lead to the building up of the American merchant marine, and in addition to the saving of the vast sums now paid to foreign countries in freight money our shipyards would hum with industry, where thousands of wage earners would be employed, and the effect would be seen in the ore beds, the coal fields, the steel plants, and all the numerous industries which contribute to the building up of a steamship. The fleet thus created would be truly American.

Mr. BOOHER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BOOHER. I make the point of order that the gentleman is not discussing the bill. We are sitting here trying to get along with the bill.

The CHAIRMAN. The Chair, of course, will sustain the point of order, and will ask the gentleman from Wyoming [Mr. MONDELL] to confine himself to the amendment, the point of order having been made against it.

Mr. BARTLETT. May I inquire what the amendment is?

The CHAIRMAN. To strike out the last word.

Mr. BARTLETT. The paragraph with reference to Vicksburg Park?

The CHAIRMAN. Yes, sir. On page 62.

Mr. MONDELL. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE], when he made the motion, stated that there was a large agricultural population in the vicinity of this park.

Mr. BOOHER. Mr. Chairman, the gentleman from Wyoming is not obeying the rule.

Mr. MONDELL. Mr. Chairman, I insist on being protected by the Chair.

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] makes the point of order against the gentleman from Wyoming on the ground that he is not confining himself to the amendment.

Mr. MONDELL. The gentleman's point of order is not well taken.

The CHAIRMAN. The Chair will ask the gentleman to proceed in order. Under the five-minute rule, when a point of order is made, the gentleman must confine himself to the subject matter of the amendment.

Mr. MONDELL. I guess we had better not proceed without a quorum if the gentleman is getting so particular.

Mr. BOOHER. The gentleman has a perfect right to make the point of no quorum.

The CHAIRMAN. Does the gentleman from Wyoming make the point of no quorum?

Mr. MONDELL. I will make the point of no quorum if the gentlemen are getting so nervous. I have no desire to do so unless the gentlemen over there get nervous and touchy.

Mr. MADDEN. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count.

Mr. MADDEN. Mr. Chairman, I withdraw the point.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the gentleman from Wyoming [Mr. MONDELL] may proceed without reference to or confining himself to the amendment.

The CHAIRMAN. Is there objection?

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to follow the gentleman from Wyoming [Mr. MONDELL] for five minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. ALEXANDER] modifies the request by asking that he have five minutes in which to address the committee, without reference to the rule. Is there objection?

There was no objection.

Mr. BOOHER. Mr. Chairman, I withdraw my point of order.

Mr. MONDELL. Mr. Chairman, the gentleman from Missouri raises the question as to the effect of ocean freight rates on the price which the farmer receives. The history of the last 60 days seems to make it very clear and evident that the cost of ocean freights has, under present conditions, little or no effect whatever on the price of the farmer's product. The Secretary of the Treasury, in the more or less illuminating pamphlet which has been frequently referred to, states it as a fact that the price of the carriage of wheat across the Atlantic has advanced since July from 5 cents to 20 cents a bushel. During the same period the price of wheat has advanced all over the country about 35 cents a bushel.

Mr. RUCKER. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. RUCKER. Does the gentleman think the rise in wheat was due to the fact that freight rates have risen also?

Mr. MONDELL. I have not said anything of the sort.

Mr. RUCKER. The gentleman's argument would seem to lead to that.

Mr. MONDELL. The gentleman had better listen to my argument.

Mr. RUCKER. I have been listening.

Mr. MONDELL. In the face of rapidly advancing ocean freight rates the price of wheat has advanced the country over. In spite of the fact, as claimed by the Secretary, that there has been a 15-cent per bushel increase in the price of transportation, we have shipped abroad in the last 30 days six or seven times as much wheat as we shipped abroad in the same 30 days a year ago. If there is any argument to be made on the basis of these conditions, it is that the freight rate has nothing whatever to do with the price of the farmer's product, and that, in my opinion, is absolutely true under the conditions that now exist, whatever may be true under normal conditions.

Mr. RUCKER. If the gentleman will allow me—

Mr. MONDELL. Because at this time and under these circumstances the price of wheat is fixed here, in the greatest wheat-producing country in the world. Under other conditions, with free passage of wheat from Russia and from the Balkan States and from all the wheat-exporting countries of the world to the general European market, it is possible that the price here is to a large extent based on the price in Liverpool, at least, or on the Continent. In such a case the price here is to a certain extent, at least, the Liverpool price minus the ocean freight.

But with the channels of trade clogged, with a considerable number of the great exporting countries not able to export at all, with the largest supply for the world market coming from the United States, the price of wheat is made and fixed here, with little regard or relation to the ocean freight rate. The fact that the crop price for wheat fluctuates at times several cents a day, without any change in ocean freight rates, is another evidence of this fact.

Mr. HOWARD. Will the gentleman please apply that argument to the price of cotton?

Mr. MONDELL. I think it applies largely to the price of cotton.

Mr. HOWARD. Why has not cotton gone up in the same proportion that wheat has gone up under high ocean freight rates?

Mr. MONDELL. There has not been the same demand. There have been as many ships for cotton as there have been for wheat. There has not been as great an increase in the freight rate—

Mr. HOWARD. Will the gentleman—

Mr. MONDELL. Please let me answer your question. There has not been as great an advance in the rate on cotton as there has on wheat, and yet the price of wheat has advanced much more than the price of cotton has. So that, applying it to the cotton situation—

Mr. HOWARD. Will the gentleman permit another question right there? Does the gentleman think that the charge of \$16 to \$18 per bale for cotton is going to stimulate the demand of the cotton factors in England and Germany?

Mr. MONDELL. I do not think it makes a vast amount of difference under these war conditions, because they are buying cotton only as they must have it, and they must have a certain amount without regard to what it costs to carry it across the sea.

Mr. BARKLEY. Will the gentleman yield there?

Mr. MONDELL. All this is preliminary to what I really wanted to say. You can not expect this administration to be logical. It would be expecting altogether too much. The Secretary of the Treasury and the President, in insisting on a ship-purchase bill, argue that they want it in the interest of the farmer.

Mr. BARKLEY. Will the gentleman yield?

Mr. MONDELL. I can not yield.

The CHAIRMAN. The five minutes of the gentleman from Wyoming have expired.

Mr. MONDELL. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

Mr. SMITH of New York. Reserving the right to object, I should like to ask how long the debate on this paragraph is going to continue?

The CHAIRMAN. That is not a parliamentary inquiry, and the Chair can not answer it.

Mr. BARTLETT. I ask unanimous consent that the debate on this paragraph and all amendments thereto be limited to 10 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that debate on this paragraph and all amendments thereto be limited to 10 minutes. Is there objection?

Mr. RUCKER. Reserving the right to object, I want to know if the gentleman from Wyoming gets five minutes more, he will yield to me for a question?

Mr. MONDELL. I thought I had been granted the privilege of proceeding five minutes.

Mr. RUCKER. Oh, no; I reserved the right to object.

Mr. BARTLETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. Has debate been limited?

The CHAIRMAN. The Chair just stated the question, and the gentleman from Missouri and the gentleman from Washington reserved the right to object. Is there objection to the request of the gentleman from Wyoming?

Mr. HUMPHREY of Washington. I have no objection, but I would like to have five minutes.

The CHAIRMAN. The Chair hears no objection. The gentleman from Georgia asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. I will yield to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. I want to ask the gentleman from Wyoming if I correctly understood him to say that the normal rate of 5 cents being increased to 30 cents on freight rates the farmer could get as much for his wheat as if the rate was the normal rate of 5 cents?

Mr. MONDELL. I said that the events of the last 60 days—a constantly increasing freight rate and a constantly increasing price for wheat—would seem to demonstrate beyond question that under these conditions the cost of ocean freightage had nothing to do with the price which the farmer receives for his wheat. The spot price on the Chicago market is to-day from \$1.62 to \$1.65 a bushel, and that in face of advance in ocean freight rates of 15 cents since July.

But, Mr. Chairman, I have another point that I want to discuss. I want to discuss the delightful and lovely consistency of this Democratic administration. Wheat is \$1.65 a bushel spot. People all over the country are threatened with an increased cost of bread per loaf or a reduction of the size of the loaf.

Mr. MADDEN. It has gone up 2 cents a loaf now.

Mr. MONDELL. The administration is just now trying to discover why wheat is so high—investigating the high price. The Department of Labor is, I am told and I think properly, much exercised on behalf of the poor people of the country because bread is so high. In this condition of affairs are we to understand that the President wants the people of the United States to buy \$30,000,000 worth of ships and run them at a loss in order to make wheat 15 cents a bushel higher all over the country and bread a penny more a loaf. That is what will certainly happen if this theory that the reduction in ocean freight rates will increase the price of wheat by the amount of the reduction.

Mr. MARTIN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MARTIN. Is this a part of the Democratic administration promise to reduce the cost of living?

Mr. MONDELL. That is about the way the administration has kept its promises to reduce the cost of living.

Mr. DECKER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DECKER. Do I understand that the gentleman would rather have the high price of freight rates and wheat go to the ocean carrying trade than to the farmers of this country?

Mr. MONDELL. I have told the gentleman several times that, in my opinion, it does not make a particle of difference under the present conditions what it costs to carry this wheat across the water, as the price is fixed here. In the face of these high ocean rates the price of wheat continues to advance. But, if the theory of your administration is correct and a reduction through Government-owned ships in the freight rate would increase the price of wheat by the amount of the reduction, then you would raise the price of wheat all over the country, increase the cost of living to all the people all over the land, and make it more difficult than it is now—and it is difficult enough now, the Lord knows—for the poor people to live under this Democratic administration.

The situation is this: Our experience since the European war began is that the price of wheat here is based on an abnormal demand, and we, as the largest source of supply, fix the price without regard to ocean freights. But if the theory advanced by the administration, and supported by the gentleman from Missouri [Mr. ALEXANDER], that the farmer is losing on his wheat the amount of the increased ocean freights is correct, then the administration's ship-purchase plan could be stated as follows:

The administration desires the American people to approve the selling of bonds for the purchase of ships to be run at a loss, the deficit to be paid by the people, in order to make the price of wheat and bread higher all over the country.

Mr. ALEXANDER. Mr. Chairman, so far as the economic question involved is concerned, it does not matter whether the ships are Government owned or privately owned. The question is whether or not there is sufficient tonnage to move our commerce in the foreign trade at reasonable rates. Hence this argument about whether they should be Government-owned ships or not is entirely aside from the merits of the question and is so much nonsense in which the gentleman from Washington [Mr. HUMPHREY], the gentleman from Pennsylvania [Mr. MOORE], and the gentleman from Wyoming [Mr. MONDELL] so frequently indulge. To say it is a matter immaterial to the farmers or the merchants or the manufacturers what the ocean freight rates may be on their commodities entering into our foreign commerce is nothing short of a monstrous proposition.

The fact that there is a foreign war, that there is an increased demand for our commodities, does not change the economic principle involved. This has been a vital question for years past. Increased ocean freight rates caused by combinations between the shipping interests have materially and injuriously affected the extension of our foreign commerce. Will anyone say that the fact that we could under normal conditions prior to the war in Europe transport a bushel of wheat from Duluth to Liverpool at 5 cents a bushel did not affect the price of the wheat of the farmer in the Northwest? I do not think anybody would be stupid enough to make any such contention as that. Would he have gotten the same price if the cost of transportation had been 30 cents per bushel instead of 5 cents per bushel?

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. FESS. Does not the gentleman think that the freight rate has been affected by the fact that the oceans have been mined and the carrying is hazardous?

Mr. ALEXANDER. I think that is true and may justify increase in part over the normal rates. I do not say that the increase in the freight rate has resulted in loss to the wheat farmer and the cotton grower alone.

Mr. FESS. Has not the insurance gone up a great deal, and have not certain companies refused to insure at all?

Mr. ALEXANDER. The insurance rate has increased somewhat, it is true. The increased costs to the shipowners since the war in Europe began do not amount to 25 per cent of the increase in ocean freight rates.

Mr. FESS. Suppose the Government has all these ships, would not the Government charge a higher price in time of war than in time of peace?

Mr. ALEXANDER. I think so, to cover the increased costs, whatever they may be. If the Government should cut the present rates in two on many commodities, and I believe the Government could do that and the rate would be remunerative, does the gentleman not admit it would have some influence on the price received by the farmer, manufacturer, and exporter for the commodity?

Mr. FESS. It might have to some extent; yes.

Mr. ALEXANDER. That is what I think, too; but I do not think it would equal the difference. The contention of these gentlemen is that it is a matter of indifference to the exporter, the farmer, and the manufacturer in this country what the ocean-freight rate is, that it does not affect the price at which they sell their commodities. That is the contention against which I enter an emphatic protest. It is not economically sound.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. PLATT. As a matter of fact, given a constant demand, is it not a matter of absolute indifference? If the price for cotton and grain remains the same on the other side, is it not a matter of absolute indifference?

Mr. ALEXANDER. I think not. If the demand was constant and wheat worth \$1 per bushel in Liverpool, I would think it of vital interest to the producer whether the freight rate was 5 cents or 20 per bushel on wheat.

Mr. MONDELL. Does the gentleman think that a reduction in the price of the rate by 15 cents a bushel would immediately raise the price of wheat in the United States to the same amount?

Mr. ALEXANDER. No; not to cover the difference; but the southern cotton grower is now receiving about 8½ cents a pound for cotton. That same cotton in Bremen is worth from 18 to 21 cents a pound. The difference is absorbed in the ocean freight rates. If the ocean freight rates were cut in two, according to the position of the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Wyoming [Mr. MONDELL], the cotton farmer would not receive 1 cent more for his cotton.

Mr. BARTLETT. May I say to the gentleman that the freight rate from here to Germany has gone up from \$1.50 a bale to \$18 a bale?

Mr. ALEXANDER. Yes; and yet these great economists claim that it does not influence the price of cotton.

Mr. MADDEN. Can the gentleman say whether the cotton farmer really owns the cotton now?

Mr. BARTLETT. Yes; a great deal of it.

Mr. ALEXANDER. It does not matter, so far as the economic question is concerned, whether he owns it or not. I suppose American citizens own the cotton; and it is material to the prosperity of this country whether the surplus cotton crop sold in the foreign market sells for 8½ or 12 cents per pound or whether the companies engaged in transporting the cotton to the foreign market absorb the difference in increased freight rates. They are mostly foreign companies, and the profits go to the foreign companies.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MARTIN. If the present carrying rate were cut in two, or one-half, as the gentleman has suggested, how much, in his judgment, would it affect the price of wheat?

Mr. ALEXANDER. Would that diminish the demand abroad?

Mr. MARTIN. How much would that affect the price of wheat in this country?

Mr. ALEXANDER. I think it would increase the price.

Mr. MARTIN. How much?

Mr. ALEXANDER. I could not say.

Mr. MARTIN. Does the gentleman think that at the present prices of wheat it would be just to the general people of the United States to have those prices advanced at this time?

Mr. ALEXANDER. If I understand it, the gentleman represents an agricultural district, as I do, and I take it from his question that he thinks the farmer is getting quite enough for his wheat.

Mr. MARTIN. I am asking the gentleman whether he thinks that would be a good economic proposition in the United States?

Mr. ALEXANDER. I think it would increase the cost of living.

Mr. MARTIN. Does the gentleman think that is a good thing at the present time?

Mr. ALEXANDER. No, if the farmer is getting a fair price; but I am not willing that the difference should be absorbed by the ocean carriers, and I am not willing that those who are championing the interests of the Shipping Trust shall stand up here day after day and assert that such a monstrous doctrine as that the cost of transportation is no concern of the producer is sound political economy.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MOORE. I do not think the gentleman intends to name anybody who has any particular interest in the Shipping Trust. I do not think the gentleman would go that far; but I would like to ask the gentleman this, whether he and I differ on this question that the farmer who sends his wheat abroad in present conditions does not pay the freight, but the foreigner does? I have contended that the foreigner pays the freight, and that seems to be the point of difference between the gentleman and myself.

Mr. ALEXANDER. Literally, the foreigner does pay the freight, but the gentleman says this does not influence the price of the farmer's commodity.

Mr. MOORE. Then the gentleman clearly misunderstood what I was saying—that it was a mistake for anybody in this country to undertake to influence the farmer into the belief that he did pay the freight.

Mr. ALEXANDER. I have not a farmer in my district who has not sense enough to know that increased ocean freight rates influence the price of his products sold abroad.

Mr. MOORE. But he does not pay the freight.

Mr. ALEXANDER. For the benefit of the gentlemen on the other side who seem to be so indifferent to the welfare of the farmer, and would have the farmer believe that the cost of getting his products to the markets of the world is of no in-

terest to him, although we depend on his cotton and grain sold in the foreign market to give us our trade balance, and for the benefit of the calamity howlers on that side, I shall incorporate with my remarks an address made by Mr. James A. Farrell, president of the United States Steel Corporation, in Pittsburgh on February 8, and call their attention particularly to the statement of Mr. Farrell that the farm wealth of the United States this year probably will exceed \$10,000,000,000, and that the United States excess of exports over imports for 1915 may easily reach \$1,000,000,000, and his further statement that the balance of trade in favor of the United States for January of this year is at the rate of \$1,500,000,000 a year. I give Mr. Farrell's statement as published in the Washington Post of February 9:

BIG TRADE BOOM NEAR—J. A. FARRELL, STEEL CORPORATION HEAD, SEES PROSPERITY—POINTS TO HUGE EXPORTS—URGES EMPLOYERS TO COOPERATE AND CREATE WORK FOR JOBLESS—ASSERTS THAT FARM WEALTH OF UNITED STATES THIS YEAR PROBABLY WILL EXCEED \$10,000,000,000—CITES RAPID REVIVAL IN STEEL BUSINESS—"TALK COURAGE, CONFIDENCE, AND COOPERATION," HIS ADVICE TO PENNSYLVANIA ENGINEERS.

PITTSBURGH, PA., February 8.

Courage and cooperation in business and confidence in a restoration of prosperity was the advice expressed by James A. Farrell, president of the United States Steel Corporation, in an address before the Engineers' Society of Western Pennsylvania here to-night.

Among reasons for encouragement Mr. Farrell quoted "eminent European and American authorities" as calculating that the United States excess of exports over imports in 1915 may easily reach \$1,000,000,000, and he declared that the balance of trade in favor of the United States for the opening month of the year is at the rate of \$1,500,000,000 a year.

TEN BILLIONS FARM WEALTH.

"The years of greatest prosperity in the United States have been when the balances were largely in our favor," asserted Mr. Farrell. "It is not imprudent to predict that our total farm values for the current year, for the first time in the annals of this or any other country, will pass the \$10,000,000,000 mark."

"I feel safe in saying that if you will strain a point just now and trade a little more with each other and talk encouragingly as to conditions, rather than pessimistically, the business of the country will take on a momentum which will carry us into better times, and what is more important, create more employment for labor. Our best effort should be put forth to stimulate activity in business, and do everything practicable to increase the number of working people not only in the industries in this community, but throughout the whole country."

"The elements of prosperity are at hand; the developments from day to day are favorable. The steel trade has been called the barometer of business; there is a marked increase in orders and in operations; more men are obtaining employment and the trade movement is progressing and encouraging, and we should do everything practicable to sustain and advance it."

Mr. Farrell said that up to within a few weeks "it seemed as if the prospects of a material improvement in business were doubtful, but apparently the tide has turned, and each day records a marked improvement in the general situation."

"It seems to me," he continued, "that the time has come when cooperation should manifest itself among business men, to bring about conditions which will result in a larger employment of labor."

SHOULD CREATE WORK.

"As business men let us give our attention to solving industrial unrest by creating work, by tolling and spinning, and creating a normal circulation in the arteries of commerce. In my judgment a campaign for the constructive upbuilding of the business of our country on a scale commensurate with modern needs and opportunities should be inaugurated. Our problems are national, our opportunities are national; let us hear more of national common sense, and see if we can not get back to work. Public sentiment and governmental inclination unmistakably favor a live-and-let-live attitude toward business."

"Whatever may be the political outcome of the European war, it is of vital consequence to America's future position that advantage be taken of the present opportunity to exploit the products of American invention, enterprise, and quality, to establish a firm foothold in foreign markets."

SEES HUGE TRADE BALANCE.

There is a strong sentiment, Mr. Farrell said, for coordinated effort in trade activities. Confidence in the business future of the country, he declared, is growing, and a balance of trade is piling up that will place the business of the country on firm foundations.

"We are the only Nation at the present time in position to assume the rôle of the world's banker," he said. "American dollars will be spent in America this summer as never before. The outlook for raising New York to first place among the financial centers of the world is declared by able bankers to be something substantially more tangible than a dream. Money is plentiful and low rates obtain. Cotton has recovered in price from 6½ cents in October to fully 8½ cents per pound to-day. Shipments to date exceed 4,000,000 bales, or two-thirds of the corresponding total of a year ago."

RATE DECISION A HELP.

"The United States is to-day the chief granary of Europe. The prices received should insure for our farming population an unprecedented measure of prosperity, and it has come to be an American axiom that when our farmers are prosperous the whole country prospers."

"The Interstate Commerce Commission's decision in the eastern rate case has raised the drooping spirits of the railroads, as has been tangibly reflected by increased orders for material."

"There is less clamor for indiscriminate governmental suits against corporations, and we may reasonably hope that honestly conducted enterprise will hereafter be allowed to carry on their legitimate functions without fear of political or legal harassment."

RESUME NEW CONSTRUCTION WORK.

Mr. Farrell announced the resumption of new construction work by the Steel Corporation in closing his address in the following words:

"Last year we suspended all operations on new construction in this district; as evidence of our faith in the immediate future we have decided to proceed with that work at once, in order that we may be prepared for greater things."

And as the Government ship-purchase bill has been discussed so flippantly by some of the gentlemen on the other side I shall incorporate as part of my remarks an editorial in the Washington Post of February 7, which I commend to the consideration of all true friends of an American merchant marine in contrast with the views of these gentlemen.

[From the Washington Post, February 7, 1915.]

THE UNITED STATES NEEDS ITS OWN MERCHANT MARINE.

The prolonged debate of the shipping bill in the Senate is focusing the attention of the entire population of the United States upon the need of an American merchant marine and causing the masses of the people to understand the reasons that the Congress has not established one in the past.

Private capital has not provided a merchant marine for this country, because private capital has no motive to enter such field except for gain, and gain could only be obtained for private capital in that field by union and cooperation with foreign shipping combines or else through subsidies from the Government of the United States.

Private capital knows full well that it can not and will not establish an American merchant marine without the aid of public cash contributed in some way, form, or manner by the Government.

It is to the interests of foreign shipping combines that no American merchant marine be established.

It is to the financial interest of powerful representatives in this country of foreign shipping—commercial and financial interests—that no American merchant marine be established unless they can control it, save their European allies from American competition, and make such rates for freight and passengers as will afford them large profits.

They are entirely willing to draw financial aid from our Government if the control of the marine is given them.

The Post is an opponent of Government ownership in all fields of action in which private enterprise and private capital can secure fair and reasonable returns upon such enterprise and capital by rendering efficient, honest, faithful service to the people at fair and reasonable cost to them.

But here is a field in which private capital has failed for 50 years to provide such service for the American people.

Here is a field that American private capital has left open to foreigners for half a century, and now, when it is proposed that its own Government shall become the creator of such a marine, private capital enters a vigorous protest.

The bill before Congress provides that of the capitalization of the proposed corporation the Government shall control 51 per cent and the other 49 per cent may be offered to private capital as an investment.

If private capital desires only investment, here is its opportunity.

If private capital desires to exploit the Government, it can not do it under this bill.

If private capital desires to wax fat by exercising control while the Government furnishes the expense money for the operation of the marine, this is not the bill it wants.

The Government of the United States must furnish the financial aid, and the Government of the United States must control, and if that control means Government ownership of this marine then the Post accepts that principle in this case, knowing full well that private capital can not do the work alone and that the Republic needs the marine.

In the above the Post speaks of private capital that might invest in a merchant marine if the Government would kindly put up the money to operate the ships, give it control, and allow it to establish the routes, fix the rates, and declare itself good dividends.

But the Post can not and does not speak for such private capital, limited to a few hundred millions of dollars at the utmost.

The Post does speak for the billions of dollars of private capital invested in the farms of the United States by millions of honest, hard-working farmers, who have been for years deprived of transportation upon the ocean at reasonable rates.

The Post does speak for billions of dollars of American private capital invested in the timber, the mines, and the manufacturing plants of the United States, capital that is now being severely injured by the lack of a merchant marine owned or controlled by the United States.

The Post does speak on the behalf of the billions of dollars of trade that would come to American manufacturers from the markets of foreign countries if such a marine were created.

The Post does speak for the great prosperity of the millions of American workmen who would be benefited by the manufacturers being freed from the exactions of foreign shipping combines, owned, operated, and controlled by the same financial forces which are so ready to close foreign markets to our manufacturers.

The Post in its advocacy of a Government-controlled merchant marine stands for the interests of 90 per cent of the private capital of the United States and for those of 99 per cent of the population.

The Clerk read as follows:

Vicksburg National Military Park: For continuing the establishment of the park; compensation of civilian commissioners; engineer and clerk, labor, iron gun carriages, mounting of siege guns, memorials, monuments, markers, and historical tablets giving historical facts, compiled without praise and without censure; maps, surveys, roads, bridges, restoration of earthworks, purchase of lands, purchase and transportation of supplies and materials; and other necessary expenses, \$36,000.

Mr. MADDEN. Mr. Chairman, there has been a good deal said about the effect of freight rates on the price of wheat, and without attempting to analyze what the effect of freight rates is on the price of wheat, I undertake to say that if the Government should by any chance be authorized to buy the ships which the President of the United States proposes to buy, the United States Government could not haul the freight for a less price than it is being hauled now without losing money; and the people of this country would find themselves in the position of having been taxed \$40,000,000 to buy ships and taxed many more million dollars to pay the losses incurred by the operation of those ships if the Government undertakes to carry freight at the rates indicated by gentlemen on this floor. Now, everybody knows, because of the war abroad, that the insurance on

ships and cargoes is much higher than it would be in normal times. Everybody knows—

Mr. ALEXANDER. Will the gentleman yield?

Mr. MADDEN. No; I can not yield. I am only going to take a minute or so. Everybody knows that every ship that carries a cargo abroad is obliged to take a war risk. Everybody knows that every ship that goes abroad is obliged to wait from 20 to 30 days before it can unload, and anybody with any business experience knows that you can not operate a ship of any size, whether it be lying at the dock or sailing on the sea, for less than about \$1,000 a day. Now, everybody must realize there are no cargoes to come back, so that a ship leaving an American port for a European port with a cargo must add to the freight charge for the carrying of that cargo not only the cost of moving the cargo from America to Europe, but for every day's delay while waiting for an opportunity to unload and for the operation of the ship on the return voyage without a dollar's worth of freight on board. Now, if the Government of the United States can go into the eleemosynary business, taking the money out of the pockets of the overburdened idle people of America to run a philanthropic institution, and carry freight for half what it costs and tax the people to make up the loss, it is time that somebody somewhere had the courage to protest against the enactment of such a scheme.

Mr. FESS. Mr. Chairman, this paragraph carries an appropriation of \$36,000 and the one preceding carries an appropriation of \$45,000, making a sum of \$81,000 for these national parks, Gettysburg and Vicksburg. Those two battle fields, from the standpoint of the history of the United States, were really the turning points in the Civil War, and probably the most historical as well as significant of any or all the battles fought in our history. The Vicksburg battle was fought, or the siege finally ended, on July 4, 1863, but the battle ended July 3, while the surrender was not until the next day. The Battle of Gettysburg was fought July 1, 2, and 3, the same month and the same year. The two struggles represent probably the greatest effort on the part of the two soldieries in that great strife, and it seems to me that the Government is doing a magnificent thing in maintaining these two historic battle fields as commemorating places of that great struggle. The Battle of Vicksburg was the culmination, however, of a series of battles, designed to open the Mississippi River, one of the objective points of the Union forces. Grant had fought at Belmont and then, on February 6, 1862, he fought at Fort Henry. One of the most important of the early struggles in the West was the Battle of Fort Donelson, on the 16th of February, where Grant received the surrender of Gen. Buckner, up to that time the largest army to surrender in the New World. Then he fought the Battle of Shiloh on April 6 and 7 of the same year. This contest is known as Pittsburgh Landing and was an important engagement, because of the death of Albert Sidney Johnston. The Battle of Shiloh was followed by the Battle of Iuka, September 19; then the Battle of Corinth in October. From October, 1862, on until the middle of the summer in July, 1863, we saw that great piece of strategy on the Mississippi River in an effort to open the Mississippi River. The upper Mississippi had been opened by Island No. 10, and the lower Mississippi had been opened by the Battle of New Orleans in April, 1862. The siege of Vicksburg almost completed the one great object of the Western Army; only a single strategic point was left, which was surrendered soon after. The campaign in the East, of which Gettysburg was the culmination, commenced on the 4th of April, 1862, by the siege of Yorktown, under McClellan. On the 5th of May was fought the Battle of Williamsburg, where Hooker won the title Fighting Joe. After this the struggle at Hanover Court House took place.

Then, on the last day of May, came the Battle of Fair Oaks, or Seven Pines, where Joseph E. Johnston, one of the great generals of the South, was wounded, and his place was taken by the peerless southern leader, Robert E. Lee. Lee had been already in the service as a subordinate officer, but at this place he comes to the head of the command, and from May 31 and June 1, after the Battle of Fair Oaks, we have this tremendous struggle in the east that will see the Battles of Mechanicsville, Gaines Mill, Savage Station, Fraziers Farm, and Malvern Hill. These were followed by the Battles of Antietam, of Fredericksburg, and of Chancellorsville; and finally the struggle culminated in this great Battle of Gettysburg. At Chancellorsville the daring Stonewall Jackson fell. Antietam is said to have induced the emancipation proclamation. So I say that the Nation is doing a magnificent thing when it makes this annual appropriation to maintain these two great fields as public parks, that generations to come may read the records of valiant service for the Nation we love. The battle field of Gettysburg in some ways is the most remarkable park we have in our Nation. I am glad that the Nation has safeguarded it; that we have not permitted the

trolley line to go across that battle field, although it does go on the outer edges of it. For the convenience of the public, but not for mere profit, there is a system of magnificent boulevards winding through every part of it, passing points of historic significance, where deeds of daring on either side took place. All along either side of the boulevards we find the markers, and if you are inclined to know what occurred at the various parts of the field you may read the history, printed upon these tablets—a fairly complete account, impartially written, so that we know exactly where the various forces of the two armies were located. Aside from these markers are placed all over the field monuments showing the location of troops. Generally, these are placed by States. One place in the park, as everybody here probably knows, is called "The high-water mark of the Rebellion." As you stand in front of it you read, as it appears in a tablet in the form of an open book, of the remarkable effort of Pickett as he undertook to make this great charge about 4 o'clock in the afternoon of the 3d of July.

It is said that the night before, in the tent of Gen. Lee, a plan was arranged whereby some one was to make an effort to break the center of the Union Army. Two days of severe fighting had ended, one in favor of the Confederate and the other, the second day, in favor of the Union forces. The general in command of the Confederate lines sought to break the Union center, held by Meade with Hancock, who on the second day was wounded. Between the timber, where Gen. Lee was located with his headquarters, and the clump of bushes as Lee's objective stood the barn which played an important part, as it served to divide his forces on the march. It is said that when the general asked for some one to make this daring effort, Gen. Longstreet felt that it would be an assured defeat, and was not in favor of attempting it. Gen. Pickett—who, by the way, was appointed, as I recall, to West Point by President Lincoln when Mr. Lincoln was a Member of this House in 1846—had just arrived with his troops, fresh, not yet having been in the actual fight. He wanted to make the charge. I believe that the description of it that has been given by Mrs. Pickett, known as the child bride of the Confederacy, who had gone through this war with her husband, Gen. Pickett, is one of the most graphic and interesting accounts in all military history. When you stand at the Bloody Angle near the small clump of bushes, the objective point of that gallant band, and hear men who are conversant with what took place describe the heroism that they witnessed at that particular spot on both sides of the struggle, the Blue and the Gray, there is not a man, North or South, that does not feel proud that he is a citizen of the American Nation. [Applause.] I think it is a very wise thing to make this appropriation for those two battle fields as well as for the other battle fields provided for in this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For improvement, care, and maintenance of various reservations, including maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles to be used only for official purposes, \$30,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 65, in line 9, after the word "of" insert the words "one horse-drawn and."

Mr. FITZGERALD. Mr. Chairman, the officer in charge of the public buildings and grounds of Washington has a horse-drawn vehicle as well as two motor-propelled passenger-carrying vehicles mentioned in this paragraph, and this is to make it possible to maintain that vehicle under this appropriation.

Mr. MANN. What is the amendment?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For care and improvement of the portion of Potomac Park east of the railroad embankment, \$10,000.

Mr. MANN. I move to strike out the last word. May I ask what is intended to be done with that portion of Potomac Park east of the embankment? There was some discussion in the papers, at least, and I think among the officials, of a proposition to provide various kinds of park playgrounds over there.

Mr. FITZGERALD. They intend to put in some baseball diamonds this year, and they propose some tennis courts. That is all that will be done at this time.

Mr. MANN. While I do not play tennis, I have noticed with great pleasure that they have put a lot of new tennis courts in west of the Washington Monument grounds, along the roadway there.

Mr. FITZGERALD. They have 15 or 16 courts there, which are occupied continuously during the time that the season is open.

Mr. MANN. Yes.

Mr. FITZGERALD. The hope is that eventually Potomac Park will be provided with facilities to be the great recreation center of the city of Washington. A portion of the embankment is particularly well adapted to that purpose. An attempt is being made at present to have the street railroad company run tracks around there, so as to provide some facilities of access to persons who are not able to have their own conveyances.

Mr. MANN. I think it is very desirable to have a street car line of some sort to carry passengers there. But where is the street car line to run? The gentleman said around the embankment.

Mr. TOWNSEND. Under the bridge.

Mr. MANN. Where is it expected that the street car line may be put?

Mr. FITZGERALD. The gentleman will recall—

Mr. MANN. I know the exact situation there fully, as far as the grounds are concerned.

Mr. FITZGERALD. It is to run around the embankment, to make a loop.

Mr. MANN. Is it to go up to the river on one side and come back on the other?

Mr. FITZGERALD. No; not as far as the river, I think, but to make a loop in there.

Mr. MANN. Just to get to the nearest portion of the park, I take it.

Mr. FITZGERALD. Just around the railroad embankment.

Mr. MANN. They can not get in on the east side of the embankment.

Mr. FITZGERALD. It is hoped to provide facilities so that persons who desire to do so can come right into the park.

Mr. MANN. They can come in on the west side on the street car line now.

Mr. FITZGERALD. In the various plans discussed it was proposed eventually, if it met with the approval of Congress, to erect there a shelter—a house which would afford accommodations for persons participating in games—and to have facilities appropriate for such purposes. It was thought it would be possible, if Congress approved, to establish a public golf course, a number of baseball diamonds, a number of tennis courts, places for croquet, and other out-of-door sports. And while no attempt is to be made to expend any large sum of money at any one time, it is thought that by degrees these facilities may be provided at very small expense, so that the city may utilize a very desirable public place for public amusement purposes. I think it would be a great boon to Washington to have such a recreation place in one of the most delightful parts of the city, and it would be an improvement that would probably meet with the approval of the people of the country generally. The sentiment of communities has changed largely in recent years, and more and more the feeling is growing that the public parks should be used for recreation purposes.

It is to be hoped that by degrees the Potomac Park will be utilized in the manner most desirable.

Mr. Chairman, the House is to recess at 5.30, and I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21318, the sundry civil appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURGESS, indefinitely, on account of illness of his wife.

To Mr. THACHER, for six days, on account of important business.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.;

H. R. 20818. An act to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; and

H. R. 20933. An act extending the time for completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912.

SPEAKER PRO TEMPORE FOR THIS EVENING.

The SPEAKER. The Chair will appoint the gentleman from Indiana [Mr. PETERSON] to preside as Speaker pro tempore to-night.

INCREASING PRICES AND COSTS.

Mr. J. I. NOLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement by the Hon. CHARLES A. LINDBERGH before the Commission on Industrial Relations in the city of New York, February 5, 1915, on the subject of increasing prices and costs, and suggesting a remedy.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing a speech by the gentleman from Minnesota [Mr. LINDBERGH] before the Commission on Industrial Relations in the city of New York, February 5, 1915. Is there objection?

There was no objection.

RECESS.

The SPEAKER. Under the order of the House, the House stands in recess until 8 o'clock to-night.

EVENING SESSION.

The recess having expired, the House was called to order by the Speaker pro tempore, Mr. PETERSON, at 8 o'clock p. m.

THE PRIVATE CALENDAR.

The SPEAKER pro tempore. Under the special order, the Clerk will call the bills on the Private Calendar, beginning with Calendar No. 405.

Mr. POULSEN. Mr. Speaker, I ask unanimous consent that gentlemen be given the opportunity to object after the title of the bill is read, and then, if they desire to object again after the bill is read, they will have that opportunity also. That has been the custom that has usually been adopted recently, when we have been proceeding in this way by unanimous consent.

The SPEAKER pro tempore. Without objection, it will be so ordered. The Clerk will report the first bill on the Private Calendar, beginning with No. 405.

MANDAN TOWN AND COUNTRY CLUB.

The first business on the Private Calendar was the bill S. 5254, authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to the Mandan Town and Country Club, of Mandan, N. Dak., at a price of not less than \$30 per acre, the below-described land: In section 33, in township 139 north, of range 81 west, of the fifth principal meridian, beginning at a point 1,120 feet due east from the northwest corner of the southeast quarter of said section 33; thence running due south 400 feet; thence running due east 300 feet; thence running due north 400 feet; thence running due west 300 feet to the starting point, containing 2½ acres, more or less: *Provided,* That if the said Mandan Town and Country Club should at any time attempt to use said tract of land for any other purpose than that of recreation or attempt to sell, lease, or convey said tract, the land shall revert to the United States.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, as I understand the Government paid \$30 an acre for this land at what time?

Mr. NORTON. About three years ago.

Mr. MANN. That is, they paid \$30 an acre for a tract of land including this land?

Mr. NORTON. Yes; 160 acres in all. This tract of 160 acres of land was, I believe, donated to the Government by citizens of Mandan.

Mr. MANN. The report says that the Government paid that for it. Of course I do not know what the facts may be.

Mr. NORTON. The whole tract is included in the land set apart for the Northern Great Plains Experiment Station, located near Mandan, N. Dak.

Mr. MANN. The gentleman says the citizens there purchased the land?

Mr. NORTON. Yes; I am under that impression.

Mr. MANN. And donated it to the Government?

Mr. NORTON. Yes.

Mr. MANN. The report, then, is incorrect when it says that the price paid by the Government was \$30 an acre?

Mr. NORTON. I do not understand that that is the way the Government at first secured title.

Mr. MANN. Is this land worth any more or less than the average of the land?

Mr. NORTON. This particular tract lies along on the south side of the Heart River, about three-quarters of a mile from the Northern Pacific depot in Mandan. It is about a quarter of a mile directly north from the experiment-station buildings. It is rough, hilly land. It is not suitable for use by the experiment station. Last spring I went over this particular tract of land with Mr. Peterson, who is in charge of the station, and examined it very carefully. At that time Mr. Peterson stated that the station had other grounds sufficient for its use, and that he did not believe that the station would ever have use for this particular tract on account of its topography and the very poor character of its soil. He was very much in favor of having it transferred to the Town and Country Club, which has a tract of land for its club grounds just across the river and directly north of this small tract.

Mr. MANN. The title of this land is not in the Agricultural Department?

Mr. NORTON. No; the title of the land is in the United States.

Mr. MANN. It is under the Department of Agriculture?

Mr. NORTON. Yes; it is under the supervision of the Department of Agriculture.

Mr. MANN. In some cases it would be the Secretary of Agriculture that would make the deed if a deed were made. I notice the bill provides that the Secretary of the Interior, who, it is true, usually makes deeds to Government lands, is to make the deed to this land.

Mr. NORTON. Mr. Speaker, I will say to the gentleman that last spring I took up this particular question with the Secretary of Agriculture, with the Secretary of the Interior, and with the Attorney General. I asked the Attorney General and the Secretary of the Interior and the Secretary of Agriculture whether the bill should provide that the transfer be made by the Secretary of the Interior or by the Secretary of Agriculture. The Attorney General wrote me to the effect that either the Secretary of Agriculture or the Secretary of the Interior might transfer this title, and that perhaps, according to custom, it would be best to have the authority to make the transfer given to the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I want to ask the gentleman a question. When was this land purchased by the Government?

Mr. NORTON. About three years ago.

Mr. CLARK of Florida. From whom was it purchased?

Mr. NORTON. As I now recall that matter, the land was purchased by the citizens of Mandan and donated to the Federal Government.

Mr. CLARK of Florida. That is not in keeping with the report of the committee. The committee reports that the bill provides that the land out of which this land shall be sold shall not be at less than \$30 per acre, the price paid by the Government at the time of establishing this station.

Mr. NORTON. I understand that, but I doubt whether that is altogether correct. It may be that the citizens purchasing this land for the experiment station were subsequently partly reimbursed. However, I think that that is quite immaterial as far as the transfer provided for in this bill is concerned.

Mr. CLARK of Florida. What improvements have been put upon it by the Government since its purchase?

Mr. NORTON. No improvements whatever. The Mandan Town and Country Club desires this particular tract of land for the purpose of building its clubhouse upon it. This tract of land is higher and is a much more sanitary, pleasing, and beautiful site for the location of a clubhouse than is the land just north of the river now owned by the Town and Country Club.

Mr. CLARK of Florida. Two and three-quarter acres of land will not make a very extensive country club.

Mr. NORTON. Well, the Town and Country Club owns about 10 acres just north of this—

Mr. CLARK of Florida. I see.

Mr. NORTON. North of the river; the members of the Town and Country Club plan to construct a footbridge across the river, which at that point is probably 60 or 70 feet wide.

Mr. CLARK of Florida. When did the gentleman say the Government bought it?

Mr. NORTON. Well, the Government acquired title to it about three years ago. The northern great plains experiment station has been built up out there during the last three years.

Mr. CLARK of Florida. Does the experiment station own any other property adjoining it?

Mr. NORTON. Yes, sir. In connection with the State agricultural college they have 160 acres of school land, but the title to that is in the State of North Dakota. It is being used by the experiment station there in the work it is now doing.

Mr. CLARK of Florida. Is this part of the purchase of more land or was this particular tract bought by itself?

Mr. NORTON. It is part of a 160-acre tract that was transferred to the Federal Government for an experiment station. The station has 320 acres altogether that it is now using in its work.

Mr. CLARK of Florida. I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. NORTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I suggest that instead of gentlemen asking to reconsider bills and lay that motion on the table, at the end of the session the gentleman from North Carolina [Mr. POU] make that request for all the bills and save that time.

SARAH A. CLINTON AND MARIE STEINBERG.

The next business in order on the Private Calendar was the bill (S. 604) for the relief of Sarah A. Clinton and Marie Steinberg.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah A. Clinton the sum of \$400 and to Marie Steinberg the sum of \$400, in repayment of the purchase money paid in such amounts to the Department of the Interior by the said Sarah A. Clinton and the said Marie Steinberg, respectively, in connection with timber and stone entries made by the said parties and subsequently relinquished by them, the said entries being particularly described as follows:

Timber and stone entry of Sarah A. Clinton, No. 6,011; Lewiston, Idaho, serial No. 32; for the southeast quarter of section 25, township 40 north, range 3 east, Boise meridian.

Timber and stone entry of Marie Steinberg, No. 6,010; Lewiston, Idaho, serial No. 030; for the north half of the southeast quarter and the north half of the southwest quarter of section 11, township 39 north, range 3 east, Boise meridian.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

VIRGINIA MILITARY INSTITUTE, LEXINGTON, VA.

The next business in order on the Private Calendar was the bill (S. 544) for the relief of the Virginia Military Institute, of Lexington, Va.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

REFERENCE OF CERTAIN CLAIMS TO THE COURT OF CLAIMS.

The next business in order on the Private Calendar was House resolution 591.

The Clerk read as follows:

Resolved, That the claims of—

ALABAMA.

H. R. 10578. Stokes, Dr. J. W.;
H. R. 3748. Ware, James H., estate of;

ARKANSAS.

H. R. 14211. Sleeper, George W., heirs of;
H. R. 18140. Stewart, John E., heirs of;
H. R. 17600. Youree, Mary A., legal representatives of;

FLORIDA.

H. R. 18278. Simes, Squire;

GEORGIA.

H. R. 18267. Cassville Female College, trustees of;
H. R. 18268. Pea Vine Church, Walker County, trustees of;
H. R. 18270. Pea Vine Academy, Walker County, trustees of;
H. R. 18269. New Hope Baptist Church, of Bartow County;

IDAHO.

H. R. 18262. De Atley, E., & Co.;

KENTUCKY.

H. R. 18109. Asher, John, heirs or estate of;
H. R. 18061. Butler, Richard, heirs of;
H. R. 18019. Engleman, John H., administrator of the estate of John Engleman, deceased;
H. R. 18018. Riffe, Jesse P.;

H. R. 14729. Robertson, Mary H. S., estate of;

MISSISSIPPI.

H. R. 17978. Sudduth, Flora E. Campbell, administratrix of the estate of Walter L. Campbell, deceased;
H. R. 17998. Evergreen Lodge, No. 77, Free and Accepted Masons, of Decatur;

H. R. 17996. Methodist Episcopal Church South, of Decatur;
H. R. 17997. Sageville Methodist Episcopal Church South, of Sageville, Lauderdale County;

MISSOURI.

H. R. 18093. George, J. W., heirs of;
H. R. 17989. County of Barton;

NEW YORK.

H. R. 18062. Willsey, Joseph H.;

NORTH CAROLINA.

H. R. 18242. Cape Fear & People's Steamboat Co.;

H. R. 18241. Lutterloh, Thomas S.;

H. R. 17990. St. Paul's Lutheran Church, of Wilmington;

SOUTH CAROLINA.

H. R. 18231. Feininger, Adolphus, heirs of;

H. R. 18283. Hubbard, Lenora C.;

TENNESSEE.

H. R. 16922. Anderson, John F., legal representatives of;
H. R. 10649. Baker, Isaac W., legal representatives of;
H. R. 10650. Bloodworth, Wilson, legal representatives of;
H. R. 10468. Boulton, A. D., legal representatives of;
H. R. 15180. Brinkley, Hugh L., and Annie Brinkley Snow, heirs of the estate of;

H. R. 10647. Chipman, Joseph, legal representatives of;
H. R. 10651. Harlin, Alexander, legal representatives of;
H. R. 17985. Jackson & Adams, heirs of;
H. R. 18108. Jameson, David, heirs or estate of;
H. R. 16627. Jones, Reuben S., and William N. Brown, legal representatives of;

H. R. 10645. Kimbro, Samuel, heirs of;
H. R. 10648. Nance, William E., legal representatives of;
H. R. 18107. Robinson, James A., estate of;
H. R. 18299. Roth, Joseph;
H. R. 18300. Roth, Joseph;
H. R. 10472. Staeker, Thomas, estate of;
H. R. 17986. Tynes, A. J., estate of;
H. R. 17984. Woods, Yeatman & Co. legal representatives of;
H. R. 18272. Boiling Fork Baptist Church, of Cowan, trustees of;
H. R. 18008. Missionary Baptist Church, of Toone;

TEXAS.

H. R. 18155. Harrison, Jennie McC.;

VIRGINIA.

H. R. 18289. Curtis, Samuel G. and Elizabeth G., heirs at law of;
H. R. 18288. Hosler, Mary Ann;
H. R. 18261. Mix, Charles E., legal representatives of the estate of;
H. R. 18186. Carmel Baptist Church, Caroline County, trustees of;
H. R. 18306. Shelby Lodge, No. 162, Ancient Free and Accepted Masons;
H. R. 18181. Lebanon Evangelical Church, of Shenandoah County, trustees of;
H. R. 18187. Urbanna Episcopal Church, Middlesex County, trustees of;

WEST VIRGINIA.

H. R. 18259. Collett, A. J.;

H. R. 18260. Corrick, L. D.;

H. R. 18264. Reece, J. A., heirs of;

with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary." (Public act No. 475, 61st Cong., 2d sess., p. 1138.)

The committee amendment was read, as follows:

Page 4, strike out lines 5 and 6.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the committee amendment was agreed to.

The resolution as amended was agreed to.

CAPT. FRANK KINSEY HILL.

The next business in order was the bill (H. R. 17954) for the relief of Frank Kinsey Hill, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

CAPT. JOHN HENRY GIBBONS.

The next business in order on the Private Calendar was the bill (H. R. 17985) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

FREDERICK H. LEMLY.

The next business in order on the Private Calendar was the bill (H. R. 16823) to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the United States Navy. The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

HEIRS OF THOMAS ROGERS.

The next business in order on the Private Calendar was the bill (H. R. 8013) for the relief of the heirs of Thomas Rogers, deceased.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Thomas Rogers, deceased, late postmaster at Sheffield, Jackson County, Mo., the sum of \$147.95, for postage stamps stolen from his office on the night of October 25, 1893.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I object.

CHESTER D. SWIFT.

The next business in order on the Private Calendar was the bill S. 1880, an act for the relief of Chester D. Swift.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chester D. Swift, of Canton, Ohio, or his legal representatives, the sum of \$1,100, as full compensation for permanent injuries received by the said Chester D. Swift on or about the 15th day of September, 1910, while in the performance of his duties as a clerk in the Post Office Department, employed and assigned to duty in the Canton (Ohio) post office.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. I object, Mr. Speaker.

Mr. WHITACRE. I hope the gentleman will withdraw his objection for a moment, please.

The SPEAKER pro tempore. Does the gentleman from Florida [Mr. CLARK] reserve his objection?

Mr. WHITACRE. May I ask the gentleman to withdraw the objection for a moment until I make a statement in respect to this case?

The SPEAKER pro tempore. Will the gentleman from Florida withhold his objection?

Mr. CLARK of Florida. Mr. Speaker, there is a bill on this calendar, if I may make a statement, for the payment to the Virginia Military Institute of a sum of money for damage and destruction of its library, scientific apparatus, and the quarters of its professors, and it has been objected to. I know it is absolutely just and proper, and I shall object to all these bills if that objection stands.

The SPEAKER pro tempore. Does the gentleman from Florida object?

Mr. CLARK of Florida. I did.

Mr. POU. Mr. Speaker, with the permission of the House, I would like to make a statement concerning this session of the House. There are a good many bills on the calendar in which gentlemen on both sides of the Chamber are quite deeply interested. This is an unusual session of the House. There is no opportunity to debate bills. The session was granted for the sole purpose of considering bills to which no gentleman would object. It was for the purpose of eliminating those bills which are so well understood that there would be no objection by anybody. I had hoped there would be an opportunity to consider and act upon debatable bills, but it seems we are not to have such opportunity. It has not been a very easy matter to secure consideration for these bills that we are considering now. It is late in the session, and it was the hope of the Committee on Claims, at least, both Democrats and Republicans, who have done a great deal of work, and have done a great deal of investigating, that gentlemen would not treat us in this manner. We have tried to be absolutely fair and absolutely nonpartisan. Such a thing as any political consideration has never entered the door of the committee room since I have been there. We have all tried to do the best we could to accommodate both sides of the House and put bills on the calendar which our colleagues are pressing, and I do not think it is treating the committee with perfect fairness for gentlemen to object, unless they feel that the bills objected to ought not to pass. I submit it is not treating one of the active committees of the House justly for gentlemen to object to its bills because some other bill has been objected to, and I hope my friend from Florida will not insist upon his objection.

Mr. CLARK of Florida. Does not my friend from North Carolina [Mr. POU] think he ought to lecture somebody else instead of me?

Mr. POU. I hope I am not lecturing anybody; I would not presume to do that and trust what I have said will not be so construed. I am asking gentlemen not to treat the committee in that manner.

Mr. CLARK of Florida. I have not a bill on this calendar in which I am interested or in which any constituent of mine is interested. But if that be the game, I do not see why one

should pass without the other. Here is a bill involving the destruction of valuable apparatus and books, a very meritorious case, and it is objected to without an explanation.

Mr. POU. The gentleman has been here a long time, and there are a great number of bills that gentlemen are going to object to because some of them have not had time to look into them. It does not seem to me the gentleman should object to all the bills reported from the Committee on Claims, a committee that has tried to do honest work, and not let any of the bills pass because some particular bill has been objected to.

Mr. CLARK of Florida. Mr. Speaker, I think the House is entitled to some explanation when an objection is made to a bill of that character. I think gentlemen might at least reserve the objection and give those who know something about the bill an opportunity to explain it. But to just ruthlessly object to bills without an explanation—

Mr. STAFFORD. Will the gentleman yield?

Mr. CLARK of Florida. Yes; if I have the floor. I did not think I had.

Mr. STAFFORD. In the case instanced by the gentleman, did anybody desire the gentleman who made the objection to reserve his objection so that the claim might be presented to the House?

Mr. CLARK of Florida. I did not hear anybody do it. But I want to say this: This matter has gone on, and when one Member objects that settles it, and such bills go through as certain Members want and those they do not want do not go through. Now, it is unfair to make fish out of one and fowl out of the other. We ought to have a square deal here and let these matters be considered upon their merits. If they ought to pass, they ought to pass.

If they ought not to pass, then they ought to be defeated. That is all there is about it. But I am not going to be mean about it. I am not going to do what others have done. I will withdraw the objection to this bill.

The SPEAKER pro tempore. The gentleman withdraws his objection. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CHRIS KUPPLER.

The next business in order on the Private Calendar was the bill (S. 2304) for the relief of Chris Kuppler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Chris Kuppler, of Seattle, Wash., the sum of \$2,137.21, and said sum of \$2,137.21 is hereby appropriated out of any money in the Treasury not otherwise appropriated, in payment of the amount withheld from him as liquidated damages under a certain contract for the construction of the United States executive mansion, at Juneau, Alaska, entered into by and between the duly authorized officer of the Treasury Department, representing the United States of America on the one part, and the said Chris Kuppler on the other part, dated August 1, 1912.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

FREDERICK H. LEMLY.

The next business in order on the Private Calendar was the bill (S. 3561) to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the Navy, to take the same rank and position on the list of passed assistant paymasters that he occupied on March 5, 1908 (the date upon which his resignation as a passed assistant paymaster in the Navy was accepted): *Provided*, That the said Frederick H. Lemly shall establish to the satisfaction of the Secretary of the Navy by the usual examinations required for promotion to the grade of passed assistant paymaster his fitness in all respects to perform the duties thereof: *Provided further*, That the said Frederick H. Lemly shall be carried as additional to the number of the grade to which he may be appointed or at any time thereafter promoted: *And provided further*, That nothing in this act shall be construed as entitling said Frederick H. Lemly to any pay or allowances from the date of the acceptance of his resignation herein referred to and the date of the passage of this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. GARRETT of Tennessee. Will the gentleman reserve his objection for a moment, to allow me to ask a question?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. Is this one of the line of cases similar to those that the gentleman objected to a few moments ago?

Mr. MANN. It is; and while I do not know that it is covered by the naval bill—I see that it is not. This is a resignation; but it is along the same line.

Mr. GARRETT of Tennessee. The former cases were plucking-board cases, were they not?

Mr. MANN. Not all of them.

Mr. GARRETT of Tennessee. I mean Nos. 411 and 412 on the Private Calendar, to which the gentleman objected.

Mr. MANN. I do not recall now whether those were plucking-board cases or not.

Mr. STAFFORD. They were.

Mr. GARRETT of Tennessee. They were covered, in a measure, by the provision in the naval bill, were they not?

Mr. MANN. I assume so; but that was not the reason I objected.

Mr. GARRETT of Tennessee. The gentleman has a general objection to these cases?

Mr. MANN. I do not believe it is the province of the legislative branch of the Government to restore men to the Army and the Navy as a matter of special favoritism. That is the ground of my objection. I do not object to general laws on the subject. In fact, I think this, as a particular case, has a good deal of merit.

The SPEAKER pro tempore. The gentleman from Illinois objects.

JOHN T. HAINES.

The next business in order on the Private Calendar was the bill (S. 543) to correct the military record of John T. Haines.

The bill was read, as follows:

Be it enacted, etc., That John T. Haines, deceased, who was a captain in the Eleventh Regiment United States Cavalry, and who was nominated by the President for appointment as major of Cavalry to rank from the 3d day of March, 1911, said nomination being confirmed by the Senate after the death of said Haines, which occurred after his nomination, shall hereafter be held and considered to have become a major of Cavalry in the service of the United States on the 3d day of March, 1911, and to have held that office until the date of his death; and the President is hereby authorized to issue a commission as major of Cavalry in the name of John T. Haines with rank to date from March 3, 1911.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman from Illinois if this is not a special proposition?

Mr. MANN. No; this is a case where a man was nominated for an advanced rank which he had earned, and there was some delay in his confirmation, and before he was confirmed he died. This simply gives him the commission as of the date of his nomination to the rank which he had earned. That is the distinction.

Mr. HAY. It helps the widow.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CLIFFORD HILDEBRANDT TATE.

The next business in order on the Private Calendar was the joint resolution (S. J. Res. 137) to reinstate Clifford Hildebrandt Tate as a cadet at the United States Military Academy.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. GREENE of Vermont. Will the gentleman withhold his objection for a moment?

Mr. MANN. I will withhold the objection.

The SPEAKER pro tempore. The gentleman reserves his objection.

Mr. GREENE of Vermont. I should like to invite the attention of the gentleman from Illinois to the fact that this case, as set out in the report, is that of a young cadet whose application to be turned back in the next class in the academy by reason of failure in academic studies was denied. The report invites attention to the result of similar cases, in which other cadets were interested at that time, which cadets were given the opportunity that is now by this bill proposed for Cadet Tate.

Now, in a letter from the Superintendent of the United States Military Academy at West Point to Senator TILLMAN he sets out in the case of another cadet whose case was before this body some time ago that "there is no part of our instruction more important to that end than discipline and obedience to regulations," and the report submitted to accompany this Senate joint resolution says that Cadet Tate was particularly efficient and had a high rating in military conduct and discipline, and it is thought by the committee that he might therefore be given another opportunity to make up for his deficiency in the academic course.

Mr. MANN. Mr. Speaker, I will say to the distinguished gentleman from Vermont that here is a case where Cadet Tate, of West Point, failed in his studies. It was within the power of the authorities at the academy to put him back into the next class or dismiss him. I can not see how it is practicable for this legislative body or any other to determine, when a cadet at West Point fails in his studies, whether he shall be dismissed or put back into another class. It is perfectly evident that if Congress should attempt to restore every boy who fails in his studies at the Military Academy, if it was given out that we would undertake to cover that subject, we might be kept busy, but would not do much justice.

Of course, I appreciate the desire of the boy to finish out his course at the Military Academy. That is commendable; but, after all, I do not see how Congress can undertake to say whether a boy is competent to go ahead as a student at the academy and become a military officer. This boy may be perfectly competent; I will assume that he is; but I do not think it is our province and I do not think we ought to commence the practice.

Mr. GREENE of Vermont. I only invited attention to the fact that this young man seems to have qualified in all the other essentials that go to make a soldier and a military man. Several men in history who were great officers, who were more or less important in times past, have failed in their requisites at the academy.

Mr. MANN. Undoubtedly. Some people who fail in examinations make students and officers thereafter; but that is something to be considered by the officials at the academy and not by Congress. Since my friend from Vermont has called attention to this case, I had already read the report and have done everything in my mind to influence my judgment, but with some degree of stubbornness I adhere to my judgment, and I am not willing to allow the bill to pass by unanimous consent.

The SPEAKER pro tempore. The gentleman from Illinois objects.

ISAAC BETHURUM.

The next business on the Private Calendar was the bill S. 5970, an act for the relief of Isaac Bethurum.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Isaac Bethurum, who was a private of Company B, Fifteenth Regiment Kansas Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 17th day of October, 1865: *Provided,* That no back pay, bounty, or pension shall accrue to him prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE P. CHANDLER.

The next business on the Private Calendar was the bill (S. 1703) for the relief of George P. Chandler.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws George P. Chandler, who was a private in Company F, One hundred and ninety-first Regiment Pennsylvania Infantry Volunteers, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 27th day of September, 1864: *Provided,* That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

Mr. MANN. Mr. Speaker, we usually carry in these bills a provision that no back pay, allowances, or other emoluments shall accrue by reason of the passage of this act. This bill provides that no pension shall accrue by the passage of the act, and none would accrue anyhow.

Mr. HAY. Mr. Speaker, this is a Senate bill, and I see that the Military Committee reported it without amendment. I do not think from what I know of this case that the man would be entitled to any back pay anyway. I would not like to have the bill amended under the present circumstances.

Mr. STAFFORD. The present circumstances are very favorable since the adjournment of the Senate to-night.

Mr. HAY. I do not know whether the circumstances are favorable to this bill going back or not.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES RICHTER.

The next business on the Private Calendar was the bill (S. 145) for the relief of Charles Richter.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Charles Richter, alias Herman Wittman, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company K, Thirty-fifth Regiment Wisconsin Volunteer Infantry: *Provided,* That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

BYRON W. CANFIELD.

The next business on the Private Calendar was the bill (S. 1044) for the relief of Byron W. Canfield.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Byron W. Canfield, late captain Company E, One hundred and fifth Regiment Ohio Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States on the 30th day of January, 1863: *Provided, however,* That no pension, bounty, pay, or other pecuniary emolument shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES M. CLARK.

The next bill on the Private Calendar was the bill (S. 2882) for the relief of Charles M. Clark.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Charles M. Clark, who was a private of Company G, Third Regiment Michigan Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 17th day of October, 1863: *Provided,* That other than as above set forth no pay, bounty, pension, or other emoluments shall accrue by virtue of the passage of this act.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to strike out the last word. The Committee on Military Affairs has been very careful, as a general rule, in reporting these bills. I appreciate the conditions that exist, possibly, in reporting a number of Senate bills. The committee used to insert in all of these bills a provision that there should be no back pay, bounty, or other emolument allowed by reason of the passage of the bill, the intention being to confer a pensionable status. The bill provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, and so forth, and then follows with a proviso to the effect "that other than as above set forth no pay, bounty, pension, or other emolument shall accrue by virtue of the passage of this act."

Having conferred all of the benefits that any law would confer, then they provide an alternative. This is a Senate bill. Of course, the proviso means absolutely nothing, and I suppose it was inserted in a sloppy way in the other body by inadvertence and not by design, though some skillful man might insert such a provision by design, to give it the appearance of providing what he wanted, when it did not provide anything.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A. J. HENRY.

The next business on the Private Calendar was the bill (H. R. 18166) to correct the military record of A. J. Henry.

The Clerk read the bill, as follows:

Be it enacted, etc., That A. J. Henry, who enlisted in Company B, Eleventh Regiment Illinois Volunteer Infantry, and who was commissioned second lieutenant by the governor of Illinois on July 3, 1865, shall hereafter be held and considered to have been mustered out from the military service of the United States with the rank of second lieutenant.

With the following committee amendments:

Line 7, after the word "been," insert the words "mustered in and," and on line 9, at the beginning of the line, insert the words "upon said date," so that as amended the bill will read: "shall hereafter be held and considered to have been mustered in and mustered out from the military service of the United States upon said date with the rank of second lieutenant."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman withhold his objection?

Mr. MANN. I will withhold the objection for a moment.

Mr. YOUNG of North Dakota. I would be glad if the gentleman would indicate what objection he has to the passage of this bill.

Mr. MANN. Here is a man who was given a commission as lieutenant. He never received the commission. He never was actually appointed lieutenant. This bill proposes to say that he was a lieutenant. That is falsifying the record. He never was. The bill says he is to be considered as mustered in and mustered out of the rank of second lieutenant. He was not a second lieutenant. Why should we falsify the record and say that he was?

Mr. TAGGART. Mr. Speaker, also reserving the right to object, I would like to ask the author of the bill if it is the purpose of the bill to give the soldier a pensionable status, so that he can draw a pension?

Mr. YOUNG of North Dakota. No. The purpose of the bill is simply to correct his military record along the lines indicated in the bill. There is no charge of desertion against this soldier. He has an absolutely clear record. It is to correct his record, but not for desertion. I should think it would be refreshing to the gentleman from Illinois [Mr. MANN], as well as to all others on this floor, to once in a while consider a bill of this kind to correct the record of a soldier when it is not for the purpose of removing the charge of desertion.

I wish to call the attention of the gentleman from Illinois [Mr. MANN] particularly to the fact that Mr. Henry fought in 37 battles. He served in the Army for over four years, and I wish to call particular attention to the fact that in his discharge papers, as shown here on page 2 of the report, there is the statement that he was discharged by reason of gunshot wounds in the head and the right foot, received in the Battle of Smithfield, N. C., on March 20, 1865. That was one of the last battles of the war. The discharge further states that he is unfit for the veteran reserve corps. When he was discharged from the hospital at New York Harbor he was even at that time unfit for further service, and the report shows that when he left the hospital he left it on crutches. It is true that he did not get mustered in under the commission that had been given to him by the governor of Illinois on account of gallantry displayed on the field of battle, but surely the circumstances of the case will excuse him.

Mr. MANN. Certainly he was not at any fault himself. He has a good record, but I do not think that is any reason why now we should say that he was a second lieutenant, when he was not. Lots of good men serve in the Army who would like to be called second lieutenants.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. NORTON. Is this soldier now receiving a pension?

Mr. YOUNG of North Dakota. Yes; he is receiving a very small pension. This bill will not change his pension. It is not a question of dollars and cents. It is a question of doing justice, even at this late day, to one who rendered great service to his country. I want to say this, that the request for this legislation did not come from this grand old soldier.

He did not ask for this. His sons—splendid young men, who served with honor in the Spanish-American War—asked for it. It seemed to them that their father, who had fought in 37 battles and had a record equaled by very few men who served in the Civil War, should be entitled to this recognition from his country—rather belated, it is true. The act of heroism for which the governor of Illinois extended the honor to him of giving him a commission of second lieutenant was at the Battle of Bentonville—sometimes called Smithfield—North Carolina. He was ordered into and helped lead a charge of his regiment against two lines of Infantry with 19 pieces of artillery. According to the report of Capt. Catlett, the regiment was at one time about to break. The left of the company gave away. Henry was in the front rank on the right. He rushed to the left, rallied the men, and led them to victory. In spite of the fact that he was wounded in the head and in the foot he used his gun for a crutch and stayed with his company. On the way back one of his comrades was found lying beside a log, and in spite of the fact that Henry was wounded he stopped, put this man Jones, his comrade, on his back, and hobbled with him back to the camp, again using his gun for a crutch. When they got back they found that Jones had only a flesh wound, while Henry, who had carried him under great difficulties, had a wound in the foot and in the head, and the foot wound was so serious and so badly swollen that they had to cut his shoe off to remove it. That is the kind of soldier he was. Thank God, no one can rob him of this wonderful fighting record. It seems there would not be any dangerous or improper precedent established by the passage of an act such

as this, and it would be a very proper recognition of a very gallant soldier, one who rendered not only faithful service, but long and distinguished service.

Mr. MANN. The gentleman knows that while everything good could be said about the soldier, yet he was mustered out of the service as an enlisted man before having received the commission. Now, it would be wholly improper for us to falsify the record and say he was a second lieutenant when he was not so in fact; and the fact that he had such good service is not a sufficient reason for our making false history.

Mr. YOUNG of North Dakota. What about these other bills that are passed here from time to time to correct military records where men have deserted?

Mr. MANN. We have not passed such a bill for years, except to say that in the administration of the pension laws a man shall be considered as having been honorably discharged, for the very reason that Congress determined, and so did the executive departments and the President, some years ago, that it would not falsify the records by saying that a man had been honorably discharged when he had not been.

Mr. YOUNG of North Dakota. I call the gentleman's attention to the fact that in this bill we did not use the words "in the administration of the pension laws," and so forth, and I think that is worthy of note. There was no money consideration involved in this. We are not asking Congress to put him in a position where he can pull down some money from the Government; far from it. I hope the gentleman will withdraw his objection.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

MRS. R. S. ABERNETHY.

The next business on the Private Calendar was the bill (H. R. 18572) granting permission to Mrs. R. S. Abernethy, of Lincoln, N. C., to accept the decoration of the bust of Bolivar.

The Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. R. S. Abernethy, of Lincoln, N. C., be authorized to accept the decoration of the bust of Bolivar tendered by the Government of Venezuela to her brother, Lieut. Commander Rufus Z. Johnston, United States Navy, and that the Department of State be permitted to deliver the decoration to Mrs. R. S. Abernethy.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, if the Chair will bear with me just a moment, I wish to say that I have objected on several occasions to bills of this character, which propose to authorize an officer of the Government to accept a present or decoration proffered by a foreign Government. The Constitution forbids that being done except by permission of Congress.

In 1910, in a report of the Senate Committee on Foreign Relations, it was shown that there were pending before that committee at that time 150 cases where a decoration or gift had been offered prior to June 23, 1906, and from that down 200 cases where similar requests were pending for decorations or gifts which had been tendered between June 23, 1906, and February 15, 1910, so that up to the 15th of February, 1910, there were 315 cases pending in the State Department, coming within the scope of the Committee on Foreign Relations of the Senate, where it was thought they were cases such as ought to be granted. I reserved the right to object to this bill because it looked to me as though it were picking out one among several hundred—because I believe there are now several hundred in the State Department—and authorizing somebody to accept that gift and not giving the same authority to other people; and it looked like a reflection upon the other people, who did not get the authority. But I am not going to object any more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CAPT. P. H. UBERROTH AND GUNNER CARL JOHANNSSON.

The next business on the Private Calendar was the bill (S. 1304) authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johansson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government.

The Clerk read the bill, as follows:

Be it enacted, etc., That Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johansson, United States Revenue-Cutter Service, be, and they are hereby, authorized to accept watches tendered to them by the Canadian Government, through the Department of State of the United States, in recognition of their services in saving the lives of the crew of the wrecked British schooner *S. A. Fownes* on December 16, 1910.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN L. MAILE.

The next business on the Private Calendar was the bill (H. R. 13029) for the relief of John L. Maile.

The title of the bill was read.

Mr. MANN. I object, but I will reserve my objection and let the bill be read.

Mr. STEPHENS of California. Mr. Speaker, John L. Maile is a minister of the gospel, a splendid man, a good citizen, 70 or 71 years of age. He served for four years fighting for his country during the Civil War. His record was a most honorable one, and with permission I will read extracts from his letters, published in the report. They tell the whole story. They are from letters addressed to me, dated October 21, 1913. I read:

THE NEW OLIVET CONGREGATIONAL CHURCH,
Los Angeles, October 21, 1913.

HON. WILLIAM D. STEPHENS, M. C.,
Los Angeles, Cal.

DEAR SIR: As giving information pertinent to the inclosed request for congressional action, I respectfully submit the following statements illustrative of my services as a soldier of the Civil War:

From the engagement at Port Royal, S. C., on November 7, 1861, to the second day's fight in the Battle of the Wilderness on May 6, 1864, my regiment was in 21 battles. On account of being on detached duty I was absent from three of these conflicts.

In the East Tennessee campaign in 1863, and also in Mississippi, I was bearer of the regimental battle flag, a position at the front of the column and at the extreme right of the line of battle. This flag was a favorite target of the enemy, for it marked the position of the regiment to the Union commander.

In South Carolina I was for a time on special detail in the Naval Signal Corps, and while the regiment was at Annapolis I was a member of the provost guard at Gen. Burnside's headquarters.

When Col. Ely requested me to stand for examination for a commission as an officer I hesitated on account of incomplete education, having enlisted just past 17.

But I was given two weeks for study in tactics, and examination in history and general information was met by the results of previous reading and study.

My experience in five Confederate prisons was exceedingly severe, as indicated in my book entitled "Prison Life in Andersonville." It was Gen. Grant who said that the soldiers who suffered and died in the prisons as truly served their country in so doing as did those who gave up their life on the field of battle.

As compared with other nations, our Government has been exceedingly generous with its citizen soldiery. For one I sincerely appreciate all that has been done in the way of pensions and homes for the old veterans who are in need of such a place of care.

In asking for the fulfillment in my own case of the recommendation of a very able board of military examiners I feel that I am within the trend of action which has distinguished the careful and able work which is being performed by our Representatives in Congress who are especially interested in the survivors of the great Civil War.

Respectfully submitted.

JOHN L. MAILE.

RECORD OF SERVICE.

On September 2, 1861, I enlisted in Company F, Eighth Regiment Michigan Volunteer Infantry, and was mustered out on June 13, 1865. I served with my regiment in the States of South Carolina, Georgia, Virginia, Kentucky, Mississippi, Tennessee, and again in Virginia.

While my regiment was stationed at Annapolis, Md., in April, 1864, request was received from the Secretary of War that a member of this regiment stand for examination for a commission in the service of colored troops. Col. Ralph Ely, commander of the Eighth Michigan appointed John L. Maile to this opportunity.

On May 3, 1864, I passed the required examination before the military board of which Gen. Silas Casey, author of Casey's Tactics, was the president, at Washington, D. C.

The examination concluded, I was instructed by the board to return to my regiment and await orders.

Meanwhile my regiment, with the Ninth Army Corps, of which it was a part, had gone from Annapolis to the Rapidan River in Virginia in readiness for the coming great campaign as planned by Gen. Grant. On May 4, 1864, I rejoined my regiment at Rappahannock Station, and on May 6, in the Battle of the Wilderness, I, with a thousand others, was cut off and taken a prisoner.

Soon after my capture orders were received from the War Department at Washington, D. C., for me to proceed to Baltimore for muster in as a second lieutenant in the Twenty-eighth Regiment United States Colored Troops. Being a prisoner in the hands of the enemy, I, of course, could not comply.

My request, respectfully, is that Congress be asked to pass a resolution which shall be filed with the War Department bestowing upon me the rank of second lieutenant in accordance with the findings of the board of examination.

Respectfully submitted.

JOHN L. MAILE.

Mr. Speaker, Mr. Maile is entitled to a pension, ought to have one, but my impression is he is not drawing a pension. He is not asking for any bounty, for any back pay, or for any pensionable status. He has asked, under the wording of the act proposed, as amended by the committee, to be considered as having been a second lieutenant after his commission was sent to the field. It seems to me to be a gratification that we can well give to this old man. It is without any cost whatever to the Government and without despoiling the record in the least.

Mr. MANN. Mr. Speaker, this is not a case of granting a man a pension or a pensionable status. He has that now. He was mustered out, honorably discharged from service as a private from the company mentioned, June 13, 1865, in pursuance of orders from the department for a reduction of the Army. He was a private; he was mustered out as a private. It is true that very likely if he had not been in prison he would have received a commission as second lieutenant. That is a very unfortunate circumstance, but that is no excuse for our falsifying the records of the War Department and say that he was a second lieutenant when he was not a second lieutenant.

Mr. STEPHENS of California. Will the gentleman yield?

Mr. MANN. There are lots of men in the Army who were worthy of being second lieutenants, who earned the place as far as service was concerned, but we can not give them title, because that is making a false record. The gentleman says it does not cost anything. It costs the truth to do it.

Mr. STEPHENS of California. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STEPHENS of California. Mr. Chairman, I think I was right in my statement—

Mr. MANN. I did not deny that.

Mr. STEPHENS of California. I know the gentleman did not mean to challenge my statement. The commission actually went to the field to find the soldier. The soldier was in prison and could not be found and the commission was returned to headquarters, and we are not asking that any record be changed now. There is no falsification of any record whatever. It is only that hereafter the man be considered as having held a second lieutenantcy after having been examined and passed and his commission issued, but never delivered because the soldier was a prisoner of war. Nothing is to come from it except the gratification of an old man who has served this country well, not only in time of battle through four long years of war, but throughout the 50 years since the war as a remarkably worthy citizen of the United States. [Applause.] Mr. Speaker, I have no doubt the bill will pass whenever it comes up for regular passage, but I had hoped it would pass to-night.

Mr. MANN. Oh, the bill says he shall be held as having the rate of second lieutenant. Some gentlemen may not care anything about the truth of history. Of course, history is very often incorrectly written, but this is deliberately falsifying it, and I will not do it, and I object.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

WILLIAM HAM.

The next business in order on the Private Calendar was the bill (H. R. 11839) granting an honorable discharge to William Ham.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause the records of the War Department in the case of William Ham, late of Company F, One hundred and sixty-fourth Regiment New York Volunteer Infantry, to be amended, and to grant him an honorable discharge.

The substitute was read as follows:

Strike out all the matter just read from lines 3 to 17, inclusive, and insert the following:

That in the administration of the laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Ham, who was a private in Company F, Eleventh Regiment Veteran Reserve Corps, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 14th day of November, 1865: *Provided,* That no back pension, back pay, back allowances, or other emoluments shall accrue by reason of the passage of this act.

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. Mr. Speaker, reserving the right to object, I want to know the length of service performed by this man and the facts upon which this proposed relief is asked.

Mr. STAFFORD. It is all set forth in the report.

Mr. FARR. He served three years.

Mr. STAFFORD. The report has been printed for several months.

Mr. LANGLEY. I know that, but I have not read it. On what grounds is the bill based? Why was he not given a discharge?

Mr. FARR. He participated in a number of battles and was wounded.

Mr. LANGLEY. Of course, but what were the circumstances regarding his failure to get a discharge?

Mr. FARR. He had a little quarrel with a superior officer 50 years ago, and was court-martialed and was imprisoned, and has suffered a loss of \$10 a month in pension ever since.

Mr. LANGLEY. All right; I will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of William Ham."

AUGUSTUS DUDLEY HUBBELL.

The next business in order on the Private Calendar was the bill (H. R. 13756) for the relief of Augustus Dudley Hubbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing upon the rolls and records of the War Department against the name of Augustus Dudley Hubbell, late of Company C, Third Regiment New York Volunteer Cavalry, and to issue to said Augustus Dudley Hubbell a certificate of honorable discharge from said company and regiment.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That in the administration of the pension laws Augustus Dudley Hubbell shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private in Company C, Third Regiment New York Volunteer Cavalry, on April 4, 1864: *Provided,* That no back pension, back pay, or back allowances shall accrue by virtue of the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

JOHN HEALY.

The next business in order on the Private Calendar was the bill (H. R. 12369) for the relief of John Healy.

The bill was read as follows:

Be it enacted, etc., That in the administration of the pension laws John Healy shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private in Company H, Fourteenth Regiment United States Volunteer Infantry, on August 15, 1865: *Provided,* That no pension shall accrue prior to the passage of this act.

With the following committee amendments:

Line 8, after the word "no," insert the word "back."

Line 8, after the word "pension," insert the words "back pay, back allowances, or other emoluments."

Line 10, strike out the words "prior to" and insert the words "by virtue of."

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. Mr. Speaker, reserving the right to object, I desire to know something about this case. I have not had a chance to examine the report. Whose bill is it, and what are the facts?

Mr. MANN. The bill was introduced by the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. LANGLEY. I reserve the right to object until I hear some explanation of the bill. I have had a number of bills of this character, and I think I have presented some of the strongest cases ever presented to the Committee on Military Affairs. Yet I have been unable to get a single one of them before the House. I do not desire to object to anybody else's bill on that account, but I do want to know something about the facts in these other cases, how they manage to get in, and how they manage to get a report from the Committee on Military Affairs.

Mr. MANN. I will say that in this case the man enlisted in 1861 and served until 1865, about the time the war was over, when four or five of them dropped out. I think it was a case where possibly they came home and felt too good and got a little too much spirit.

Mr. LANGLEY. Of course that was an unusually long period of service and perhaps a pardonable cause under the circumstances, but the cases I have in mind had a sufficient length of service to make them equally meritorious from that viewpoint, and they had a much more justifiable reason for not returning. One of them was practically blind.

Mr. FOSTER. It seems to me, from my reading of this report, that it is one of the best cases I have been able to find.

Mr. MANN. This is a really meritorious case. Some of them are not.

Mr. LANGLEY. If the gentleman from Illinois [Mr. MANN] says it is meritorious, I will withdraw the objection. It is such a rare occurrence for him to say that of this class of bills.

Mr. TAGGART. How long did this man serve?

Mr. FOSTER. Until September, 1865.

Mr. TAGGART. He is entitled to an honorable discharge without any action of Congress if he served until September, 1865, provided he served six months honorably before the 1st day of May, 1865.

Mr. FOSTER. He reenlisted.

Mr. MANN. He made application, which was denied on the ground that he did not complete his service, and that it was not established that he was prevented from completing it by reason of disability incurred in the line of duty.

Mr. FOSTER. His father died. He had a brother in the Navy.

Mr. LANGLEY. Most all of the cases I have had brought to my attention were cases of the kind referred to by the gentleman from Illinois [Mr. MANN]; that is, where the soldier could not prove that the disability preventing his return was due to the service.

Mr. MANN. I know nothing about it except what is stated in the report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I move to amend by inserting in line 6, after the words "Company H," the words "First Battalion."

I will say to the gentleman that another amendment is needed to give a correct description of his service, according to the report.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Line 6, after the letter "H," insert the words "First Battalion."

Mr. HAY. I do not think that is necessary.

Mr. MANN. His service is described in the bill as—

A private in Company H, Fourteenth Regiment United States Volunteer Infantry.

It should read:

Company H, First Battalion, Fourteenth Regiment, United States Infantry.

It was not a volunteer regiment.

Mr. HAY. I do not think it is necessary to put in the battalion, because if he was a member of Company H, Fourteenth Infantry, that describes it sufficiently.

Mr. MANN. He was in Company H of the Second Battalion, and also in the First Battalion. He was discharged from Company H of the First Battalion. I think it is necessary to give a correct description.

Mr. HAY. If he was a member of Company H, Fourteenth Regiment, I think that is sufficient.

Mr. MANN. I will read what the report says:

The records show, however, that one John Healey enlisted July 18, 1861, at Providence, R. I., and was assigned to Company H, Second Battalion, Fourteenth United States Infantry; that he was transferred to Company H, First Battalion, Fourteenth Infantry, April 30, 1862, and was honorably discharged February 15, 1864, as a private; that he reenlisted February 15, 1864, in the same company and regiment, and that he deserted August 15, 1865, at Hart Island, N. Y. He did not thereafter return to his company, although he owed service until February 14, 1867, or report his whereabouts or the cause of his absence to the military authorities of the United States.

Mr. HAY. That is correct; but I never knew that they had two Companies H in the same regiment. I think whoever drew that report was wrong.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, Mr. Speaker, I move to strike out the word "volunteer" in line 7.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the last word. The gentleman from Connecticut is not here. I do not suppose it makes much difference as to how the name is spelled, but in the bill it is spelled "Healy" two or three times and in the report it is spelled "Healey" twelve or fifteen times. I guess we can take chances on that.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES V. WELLS.

The next business on the Private Calendar was the bill (H. R. 13373) to remove the charge of desertion from the military record of Charles V. Wells.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Charles V. Wells, late of Battery C, Fifth Regiment United States Artillery, and grant him an honorable discharge as of such service.

With the following committee amendments:

Strike out all after the enacting clause and insert the following:

That in the administration of the pension laws or other laws conferring benefits upon honorably discharged soldiers of the Civil War,

Charles V. Wells, formerly of Battery C, Fifth Regiment United States Artillery, shall be held and considered to have been honorably discharged from said company and regiment on October 6, 1865: *Provided*, That no back pension, back pay, or back allowances shall accrue by reason of the passage of this act.

Amend the title so as to read: "A bill for the relief of Charles V. Wells."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LANGLEY. Mr. Speaker, I would like to have the author of the bill or the chairman of the committee make some statement about the facts of this case, as to the length of service, the circumstances under which the man failed to get an honorable discharge, and so forth. The point I want to get at is what kind of a case you have to have in order to get it through the Committee on Military Affairs.

Mr. MANN. I will say that this man enlisted and served from July 21, 1861, to October 6, 1865.

Mr. LANGLEY. I do not care how long he served. That does not reach the point I have in mind. I want to know why he is entitled to this special legislation.

Mr. TAGGART was recognized.

Mr. STAFFORD. If the gentleman from Kentucky will yield, are the cases that he presented to the Committee on Military Affairs soldiers who deserted before the war was over?

Mr. LANGLEY. I have not the floor; the Chair has recognized the gentleman from Kansas [Mr. TAGGART].

The SPEAKER pro tempore. The gentleman from Kansas has the floor.

Mr. TAGGART. Mr. Speaker, it seems to me from the report that this soldier would be entitled to an honorable discharge without the intervention of Congress. The report says:

It is shown by the records that Charles V. Wells was enrolled July 21, 1861, and was mustered into service July 28, 1861, as a private of Company C, Third Pennsylvania Reserves Infantry, to serve three years. He was discharged from that organization November 19, 1862, to enable him to enlist in Battery C, Fifth United States Artillery. He reenlisted in the last-mentioned organization February 13, 1864, for another term of three years, and he continued to serve until October 6, 1865, when he deserted while on furlough.

Mr. MANN. The report shows that The Adjutant General denied the application for an honorable discharge, and it shows that he deserted while on a furlough because he thought the war was ended.

Mr. TAGGART. Where does the report show that The Adjutant General denied the application?

Mr. MANN. At the bottom of the first page. That is the report of the War Department.

Mr. TAGGART. The report says that he left his command because he believed that the termination of the war also terminated his contract with the Government. If he left his command after the war—May, 1865—he would be entitled to an honorable discharge.

Mr. MANN. The War Department says not in the report. It says that the charge of desertion can be removed only on condition that it shall appear that at the time when he absented himself from his command he was suffering from wounds, injuries, or disease received or contracted in the line of duty, and that he was prevented from returning to his command by reason of such wounds, injuries, or disease before the expiration of his term of service.

The gentleman will remember that this is not a volunteer regiment. Lots of these men enlisted in the regular service. This was a case of enlistment in the regular service, where the man deserted because he thought the war was over.

Mr. TAGGART. The act of 1889 would provide for regular service, would it not?

Mr. HAY. I would say to the gentleman from Kansas that the War Department has ruled that way constantly, and he will find that in all these cases application has been made first to the War Department, and when that department turns it down they come to us. There would not be any purpose in coming to us if the War Department allowed it.

Mr. TAGGART. The report does not show the date on which he separated himself from the service, whether it was after 1865 or not.

Mr. LANGLEY. Mr. Speaker, I could not catch all that the gentleman from Kansas said, but as I understand it, the soldier had a disability which prevented his return to the service, and that disability was not contracted in the service and line of duty. Is that the case?

Mr. HAY. Mr. Speaker, I will say to the gentleman that this is a case where the man served four years, all through the war.

Mr. LANGLEY. It does not make any difference to me whether he served four or two or three years. That is not the point I am trying to get at.

Mr. MANN. If the gentleman will permit, I think I can answer what he is after. The report shows that the man was

ill and the doctor told him that he could get his discharge any time he pleased. As a matter of fact, he preferred to get a furlough, and did, but not feeling well, and thinking the war was over, he never returned to his command. That was in 1865.

Mr. LANGLEY. What does the gentleman think of a case like this? I am speaking now of one of my own cases. The soldier did not contract his disability in the service and in the line of duty, but he went home on a furlough, and after he got home he was attacked with disease of the eyes and became practically blind, and was absolutely unable because of that to return to his command, but he can not prove origin of the disease in the service because it did not so originate, and yet he was charged with desertion for not returning.

Mr. MANN. That sounds to me like a good case.

Mr. LANGLEY. That is what I think, but I have not been able to convince the Committee on Military Affairs that it is, and I have been seven or eight years in trying to do it.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. STAFFORD. I know the gentleman is an energetic gentleman, but has the gentleman ever appeared before the Committee on Military Affairs with that case?

Mr. LANGLEY. Mr. Chairman, I think the gentleman's question is offensive, in view of what has already been said. I said that I have spent seven or eight years at it. I have appeared time and again before the subcommittee, and the last time I tried to appear before the full committee I could not get a hearing.

Mr. MANN. I am sure the gentleman will have it granted in the next Congress.

Mr. LANGLEY. I have been told in each Congress that I would get it in the next Congress.

Mr. STAFFORD. Mr. Chairman, I want to say it was very far from my purpose to be offensive. One could not be offensive to the gentleman, because he is always so genial.

Mr. MANN. May I ask the gentleman a question? How long has he been in the House?

Mr. LANGLEY. Not quite so long as the gentleman from Illinois.

Mr. MANN. I just wanted to make a comparison. I have been here for 18 years, and I never yet have been able to get a bill from the committee, and I have had one here all of that time; and I rather think the committee was right in not reporting it.

Mr. LANGLEY. But in my case I do not think the committee was right in not reporting it. My experience with the committee leads me to fear that if the gentleman stays here the balance of his life he will not get his bill reported.

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. I object.

UNITED STATES REGISTRY OF BARK "SIMLA."

The next business on the Private Calendar was the bill (H. R. 17613) authorizing the Commissioner of Navigation to cause the bark *Simla* to be registered as a vessel of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. GREENE of Massachusetts. Mr. Speaker, I object.

TEMPLIN MORRIS POTTS.

The next business on the Private Calendar was the bill (H. R. 12486) for the relief of Templin Morris Potts, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

CHARLES L. PRITCHARD.

The next business on the Private Calendar was the bill (H. R. 17343) for the relief of Charles L. Pritchard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the accounts of, or to pay, out of any money in the Treasury not otherwise appropriated, to Charles L. Pritchard, of Front Royal, Va., the sum of \$3,472.62, being the value of stamps and money taken from his custody as postmaster at Front Royal, Va., by burglars, on July 19, 1913.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES T. PETTY AND OTHERS.

The next business in order on the Private Calendar was the bill (H. R. 13388) for the relief of James T. Petty, Charles W.

Church, and others, executors of Charles B. Church, deceased, Jesse B. Wilson, and George T. Dearing.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

GEORGE W. LALAND.

The next business in order on the Private Calendar was the bill (H. R. 19497) to amend the military record of George W. Laland.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, George W. Laland, a resident of Illinois, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company A, Twelfth Regiment Illinois Volunteer Cavalry, on the 7th day of April, 1865: *Provided,* That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FREDERICK J. BIRKETT.

The next business in order on the Private Calendar was the bill (H. R. 18173) to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM G. KERCKHOFF.

The next business in order on the Private Calendar was the bill (S. 5990) to authorize the sale and issuance of patent for certain lands to William G. Kerckhoff.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to sell and issue patent to William G. Kerckhoff for the following real property situated in the county of Los Angeles, State of California, more particularly described as follows:

Commencing at the quarter corner of section 30, township 2 north, range 7 west, this corner being the northwest corner of the southwest quarter of said section 30, running thence easterly along the north line of said southwest quarter 990 feet; thence at right angles south 330 feet; thence at right angles westerly 660 feet; thence at right angles south 330 feet; thence west at right angles 330 feet to the range lines between range 8 west and range 7 west, San Bernardino base and meridian; thence northerly 574.4 feet to the point of beginning, containing 10 acres of land; on the payment of the sum of \$2.50 per acre.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

ARTHUR J. FLOYD.

The next business in order on the Private Calendar was the bill (S. 5497) authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patent to Arthur J. Floyd for section 31, in township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

PATENTS ISSUED TO CERTAIN INDIANS.

The next business in order on the Private Calendar was the bill (H. R. 19376) confirming patents heretofore issued to certain Indians in the State of Washington.

The Clerk read as follows:

Be it enacted, etc., That the patents heretofore issued in the name of Kami Sam, July 22, 1902, for the south half of the northeast quarter, lots 1 and 2, section 6, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Peter Benoy, February 25, 1905, for the southwest quarter section 3, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Anastus Yaksum, widow of Yaksum, February 3, 1908, for the west half of the northwest quarter and the west half of the southwest quarter, section 9, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Ellen Winnier, widow of Tom Winnier, August 1, 1904, for the northwest quarter of section 16, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Mary Batvia, October 1, 1903, for the west half of the southeast quarter and the south half of the northeast quarter, section 5, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of John Harmelt, April 14, 1909, for the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter, section 27, township 24 north, range 19 east of the Willamette meridian; and a similar patent in the name of Madeline, April 9, 1901, for the east half of the south-

west quarter and the southeast quarter of the northwest quarter, section 14, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Dan Nason, August 1, 1904, for the southeast quarter of the southeast quarter, and lot 10, section 22, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of William Nason, August 1, 1904, for the northwest quarter section 26, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Tenas George, December 17, 1901, for lots 7 and 8, section 7, and lots 2, 3, 4, and 7, section 18, township 24 north, range 21 east of the Willamette meridian; and a similar patent in the name of Mary Ann, August 1, 1904, for the northeast quarter of the southwest quarter, and lots 2 and 4, section 26, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Mary Nason, August 1, 1904, for the south half of the northeast quarter and the north half of the southeast quarter, section 22, township 24 north, range 18 east of the Willamette meridian, all situated in the State of Washington, be, and the same are hereby, ratified and confirmed as fee-simple patents without restrictions against alienation as of their dates of issuance.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

GUSTAV HERTFELDER.

The next business in order on the Private Calendar was the bill (S. 1060) fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to enter the reenlistment of Gustav Hertfelder, first-class fireman, United States Navy, as of October 18, 1909, in accordance with the provisions of section 16 of the act of March 3, 1899.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

MATTHEW McDONALD.

The next business in order on the Private Calendar was the bill (H. R. 11927) for the relief of Matthew McDonald.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws Matthew McDonald shall be hereafter held and considered to have been honorably discharged from the military service of the United States as second-class boy on the *Moose*, United States Navy, October, 1863: *Provided*, That no pension shall accrue prior to the passage of this act.

The committee amendments were read, as follows:

Strike out the word "military" in line 5, page 1, and insert the word "naval," and strike out the word "October" in line 7 and insert the words "on the 20th day of August."

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Page 1, line 8, after the word "no," strike out the remainder and insert "back pay, bounty, allowance, or other emolument shall accrue by reason of the passage of this act," so that the line as amended will read: "Provided, That no back pay, bounty, allowance, or emolument shall accrue by reason of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES V. WELLS.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 431 (H. R. 13373), a bill to remove the charge of desertion from the military record of Charles V. Wells.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. LANGLEY] asks unanimous consent to return to No. 431.

Mr. LANGLEY. Mr. Speaker, if I may be permitted, since I objected to the consideration of that bill I have learned some facts regarding the case that I did not know at the time I made the objection. I do not desire to leave upon the mind of any Member of this House the impression that merely because I can not get through one of my own bills of the same kind, equally meritorious, I would object on that ground to somebody else's bill. I reserved the objection in order to get the facts of the case, as I had not had the opportunity to read the report. I really did not intend to insist upon the objection, but during the colloquy that followed I perhaps became a little bit provoked and irritated, and finally insisted upon it.

I should deeply regret the consciousness that I had done injustice to anybody, and especially to an old soldier. I felt when I made the objection, and I still feel, confident that I have had some cases pending before the Military Committee for years which possess the highest order of merit and which have

been ignored. I do not desire to make the charge that I have been treated with gross unfairness by that committee. Perhaps in the rush of public business they may have unintentionally left upon me such an impression for the time being.

Mr. STAFFORD. The regular order, Mr. Speaker.

Mr. LANGLEY. Mr. Speaker, I have a sincere and patriotic motive in making this statement, and I hope gentlemen who are interrupting me in this manner will realize that fact and let me finish my statement, which will be only a few sentences more. I am sure that if Members of the House had the time to read the evidence in the cases to which I have referred they would agree with me that they are cases in which relief should be granted by Congress. But I shall not take up your time further now. The people of my district realize that I am doing my best to serve them, and they have honored me with a seat in the next Congress. I give notice that if I do not get these cases through this Congress I shall bring them up again in the next Congress, and no case of less merit shall pass, if I can prevent it, until these are passed. Mr. Speaker, I withdraw my objection to unanimous consent for the present consideration of this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MANN. The bill has been read, Mr. Speaker.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Charles V. Wells."

GEORGE RICHARDSON.

The next business on the Private Calendar was the bill (H. R. 17842) for the relief of George Richardson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the title of George Richardson in and to the northwest quarter of section 33, township 15, range 16, Noxubee County, Miss., as assignee of the conveyance of John Victor, be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said George Richardson.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ELLERY B. WILMAR.

The next business on the Private Calendar was the bill (H. R. 2668) for the relief of the heirs of Ellery B. Wilmar.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to reinstate the homestead entry, designated at Oakland, Cal., as serial 03576, of the northwest quarter of the southwest quarter and the west half of the northwest quarter of section 8, and the southwest quarter of the southwest quarter of section 5 of township 23 south, range 13 east, Mount Diablo base and meridian, in the San Francisco land district, California, which was made December 15, 1909, by Ellery B. Wilmar, now deceased, and to cause patent thereon to issue to the legal heirs of said Wilmar upon proof of compliance by such heirs with the homestead laws in the matter of cultivation.

With committee amendments, as follows:

Amend, page 1, line 6, by striking out the word "of" after the word "six" and inserting the word "embracing."

Amend, page 2, lines 2 and 3, by striking out the words "upon proof of compliance by such heirs with the homestead laws," and inserting "subject to compliance with the homestead laws."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

REV. JOHN A. FERRY.

The next business on the Private Calendar was the bill (H. R. 12896) to place Rev. John A. Ferry, captain, upon the unlimited retired list of the Army.

The title of the bill was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

FREDERICK J. BIRKETT.

The next business on the Private Calendar was the bill (S. 6011) to reinstate Frederick J. Birkett as first lieutenant of the United States Revenue-Cutter Service.

The title of the bill was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects.

MAJ. WILLIAM O. OWEN.

The next business in order on the Private Calendar was the bill (S. 5525) to authorize the President to appoint Maj. William O. Owen, United States Army, retired, a colonel on the active list of the Army.

The Clerk read the title of the bill.

Mr. MANN. I object.

Mr. MURRAY. Mr. Speaker, I will ask the gentleman from Illinois if he has noticed the report on this bill?

Mr. MANN. Oh, certainly. I never object to a bill without knowing something about it. I would not take that responsibility.

Mr. MURRAY. I presume, then, the gentleman is going to stay with it, so I will not make any statement.

Mr. MANN. Here is a bill which proposes to promote a man on the retired list from major to colonel, and it only provides that he shall take the examination of a lieutenant colonel. Think of that!

Mr. MURRAY. I am satisfied I could not convince the gentleman, so there is no use talking about it.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM W. FINEREN.

The next business in order on the Private Calendar was the bill (H. R. 15686) for the relief of William W. Fineren.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

JAMES F. GORMAN.

The next business in order on the Private Calendar was the bill (H. R. 16166) for the relief of James F. Gorman.

The Clerk read the title of the bill.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. VOLLMER. Will the gentleman reserve his objection?

Mr. MANN. I will reserve the objection.

Mr. VOLLMER. Mr. Speaker, this is a very meritorious claim. I introduced the bill to give the man \$5,000, which I think would not compensate him for the injuries he has sustained. Both the committee and the department report favorably on the claim. The Judge Advocate General expressly states that he considers it a meritorious claim. I have known the claimant personally for a great many years, and all that time I have known him to wear a bandage around his face, indicating that he has sustained such injuries as he claims. He assures me—and I believe him—that the amount allowed by the committee, \$2,000, would not reimburse him for the amount of his doctors' bills. I know he has had several operations in the last three or four years, and I know he has suffered a great deal of pain.

Under the circumstances it seems to me it is a meritorious claim that ought to be allowed.

Mr. MANN. Mr. Speaker, I do not like to detain the House when it is trying to reach bills to which there is no objection. And I will say to the gentleman from Iowa that until the general compensation law was passed, only a few years ago, Congress invariably refused to pay compensation by special legislation to employees who were injured in the Government service. After the general compensation bill was passed the Committee on Claims reported a few bills in one Congress providing for payment in special cases. Those bills, with the exception of one or two, were not passed. I think that was in the Sixty-first Congress—not very long ago. In the last Congress, the Sixty-second, there were quite a number of these bills reported, and some were passed. Quite a number have been reported and passed in this Congress, special bills where the general compensation law did not apply, or going back prior to the date of the general compensation law. This bill goes back to an injury that occurred in 1877.

As far as I am concerned, I am unwilling to give unanimous consent to pass any bill for the relief of anybody for a personal injury that occurred so long ago. There have been thousands

and thousands of injuries to Government employees since that time, and there are probably in the neighborhood of 500 or 1,000 cases a year now under the general compensation law. If we are going to pay compensation to everybody who has ever been injured in the Government service it ought to be done by general legislation. It is impossible for Congress to give consideration to separate bills for all the people who have been injured as far back as 1877. I appreciate the fact that that is not the fault of the man. That is the fault, if it be a fault, of the Government, which did not adopt the policy of giving any compensation until six or seven years ago. I am not willing to go back and take up all the cases since 1877 and sit here and figure them out, and I do not think it is the business of Congress to do it. If Congress wants to do it by general legislation, that is another thing. I am not willing to pass special bills by unanimous consent for cases that go back so far. That is the only objection I have.

Mr. VOLLMER. I will say that there have been quite a number of such bills passed.

Mr. MANN. I beg the gentleman's pardon. There has been no bill passed going back anything like that far.

Mr. VOLLMER. I understand that within the past few months a bill has been passed which goes back to 1861.

Mr. MANN. Oh, well, the gentleman is mistaken.

Mr. VOLLMER. I have just received that information.

Mr. MANN. The gentleman who gave the information is mistaken.

Mr. VOLLMER. Of course if the gentleman is determined to object there is no use to take the time of the House further.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM J. BLAKE.

The next business in order on the Private Calendar was the bill (H. R. 18474) for the relief of William J. Blake.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William J. Blake, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 as compensation for injuries to spine, through no negligence on his part, while being employed in the United States Navy Yard, Portsmouth, N. H., October 21, 1912.

With the following committee amendment:

In line 6 strike out the figures "\$5,000" and insert in lieu thereof the figures "\$2,000."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, supplementing what I have just said in reference to the general compensation law, the Committee on Claims is now being besieged for the consideration of bills that pay compensation in addition to the compensation provided by the general law. That compensation under the general law is limited to one year's pay. The Committee on Claims have reported quite a number of bills providing additional compensation above that allowed by the general law, private bills giving special consideration to particular cases.

Of course, if we do that for one case, we have got to do it for every case, unless there be special favoritism. I am unwilling to have special bills passed by Congress in every case where somebody is injured while in the Government service, because these bills would amount to thousands in the course of a year. This is one of those cases. It is a hard case. The compensation allowed under the general law is very meager. I am not willing to give my consent to pass such a bill by unanimous consent and enter upon the precedent of paying additional compensation where compensation has been made under the general law.

It so happens that this bill is the bill of the gentleman from Maine [Mr. HINDS]. There is no man in this House that I would go further for, at the risk of violating my conscience, than I would for the gentleman from Maine [Mr. HINDS]. But I can not do it. I am going to object to all of these bills where they come up for unanimous consent, as long as I am a Member of the House. I do not make any criticism of the Committee on Claims, for I know the pressure that is brought to bear on the committee. I will reserve the right to object.

Mr. POUL. Mr. Speaker, I do not understand the remarks of the gentleman from Illinois to be intended as criticizing the Committee on Claims; but I wish to say, in justification of the action of the committee in reporting these bills, that the committee decided at the beginning of this Congress that we did not propose to be bound by the provisions of existing law. On a former occasion I undertook to point out the absurdity in which such a course might involve the committee. We decided that if

we were going to consider these bills at all we were going to try and do justice, and that is the only criterion that the committee has consciously been governed by.

Now, here is a man that got a year's pay, \$700, under the general law. His spine has been injured to the extent that the man is a helpless invalid for life. We could not agree to pay a man injured in this way \$700. If we pay him anything, we should allow him a sum somewhat commensurate with the injury.

Now, the Government has entered on a new policy of dealing with its employees. But so long as the Claims Committee is dealing with these cases we do not intend to be governed strictly by existing law. It has been shown time and again that we can not follow the provisions of existing law and do justice in every case.

So long as we deal with the claims we propose to report an amount somewhat commensurate with the injury the party has received. We know of no other safe rule to be governed by. That is the principle upon which the committee has tried to act. It is to be devoutly hoped that some time Congress will take charge of this matter and pass a compensation law which is just and reasonable and will meet every emergency in which a man is injured. Mr. Speaker, if this Government is going to allow its employees compensation it should at least allow an amount which can not properly be ridiculed. Having that in mind, the Committee on Claims has tried to pursue a reasonable and just course in dealing with these matters. We could not follow the general law without doing injustice in particular cases. And so long as we deal with these cases at all we propose to try to do justice in the future as we have endeavored to do in the past.

Mr. HINDS. Mr. Speaker, I would like to have the first page of the report read in my time.

The SPEAKER pro tempore. The Clerk will read the first page of the report in the gentleman's time.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 18474) for the relief of William J. Blake, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the figures "\$5,000" and insert in lieu thereof the figures "\$2,000."

William J. Blake, aged 26 years, of Kittery, Me., was an employee at the Portsmouth Navy Yard on the 21st day of October, 1912. On that date while working in the caisson of the dry dock he fell, fracturing the eleventh and twelfth dorsal vertebrae, causing total paralysis of the lower limbs. For eight months following that time he was confined to the bed, done up in a plaster cast. In July, 1913, the cast was replaced with a leather jacket. He is now able to sit up and get about in a wheel chair, but with no prospects of the recovery of the use of his limbs. The accident was caused by falling a distance of about 15 feet and striking across a steel girder. His family consists of a wife and two small children, both under the age of 6 years. He has no income and no means of support for himself and family. In the summer of 1913 he was taken to the Massachusetts General Hospital in Boston, and an attempt was made to perform such an operation as would promote his recovery, but it was without success.

Further facts concerning the accident to the claimant are contained in the following summary of evidence in support of claim for compensation under the act of May 30, 1908, furnished the Hon. A. C. HINDS by the Department of Labor, as well as letter of the claimant, William J. Blake, and affidavits of his physicians, which are made a part of this report.

Mr. HINDS. Mr. Speaker, this is a very pitiful case, as the report shows, and I think it justifies the House in going to the limit. I hope the objection will not be made and that the House will vote this man this small compensation.

The SPEAKER pro tempore. Is there objection to the bill?

Mr. MANN. I object.

THOMAS P. DARR.

The next business on the Private Calendar was the bill (H. R. 19650) for the relief of Thomas P. Darr.

The Clerk read the bill, as follows:

Be it enacted, etc., That \$918.50, or so much thereof as may be found due the claimant, be, and the same is hereby, authorized to be appropriated out of any money in the Treasury of the United States not otherwise appropriated, for the relief of Thomas P. Darr on account of services rendered as mail carrier from Gooding, Idaho, to Corral, Idaho, during the spring and summer of 1907, and the Secretary of the Treasury is hereby authorized and directed to pay the said amount to Thomas P. Darr, as full compensation for services rendered.

The following committee amendment was read:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas P. Darr the sum of \$830.37 on account of service rendered as mail carrier from Gooding, Idaho, to Corral, Idaho, during the spring and summer of 1907, this amount to be accepted by said Thomas P. Darr as full compensation for service rendered."

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

LOUIS LANDRAM.

The next business on the Private Calendar was the bill (H. R. 18038) to carry out the findings of the Court of Claims in the case of Louis Landram, administrator of William J. Landram, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. HELM. Mr. Speaker, will the gentleman be good enough to tell on what he bases his objection to the bill?

Mr. MANN. Mr. Speaker, I have read the report very carefully. There are a lot of errors in it—that is, a lot of contradictions—which I presume the gentleman has not noticed. The present claim is for the commissions for the years 1874 to 1879, inclusive, which were not included in the suit brought in the Court of Claims on account of an oversight on the part of one of Mr. Landram's attorneys. There was good reason for the oversight, I think, and it is possible that the House should, on proper consideration, pass the bill at some time when it can be properly considered. So far as I am concerned I do not think the bill ought to be passed at all. I have examined the matter.

Mr. HELM. Is it not possible the gentleman might be mistaken in that matter?

Mr. MANN. It is possible, of course.

Mr. HELM. Let me make a short statement. This collector was appointed in 1873 and served as such until 1884.

Mr. MANN. I have examined all of the facts in the case, as shown by the report. I have got it all marked up.

Mr. HELM. The point is this: That for the period of time when this man served as collector he was compensated after taking this case to the Court of Claims and from the Court of Claims he prosecuted it to the Supreme Court of the United States, and the Supreme Court of the United States adjudged it a valid, subsisting claim; but on account of an oversight which was, in good faith, made on the part of one of the attorneys representing the man, he failed to include a portion of the fees, all of which are acknowledged to be due by the department, and are of the same type and character as he was paid for. If the gentleman from Illinois [Mr. MANN] knows, as a matter of fact, that his attorney did not fail to include within the claim that was filed before the Court of Claims and was prosecuted to the Supreme Court of the United States these fees—if he knows that the attorney did not, in good faith, include them—then I am perfectly willing to quit.

If the gentleman knows that to be a fact, well and good; but if it is a fact that the attorney by oversight did fail to cover the entire time for which he was entitled to be compensated for fees which are of the precise character and kind that the Supreme Court said were justly due and unpaid, then it seems to me that the man having filed the claim in 1885, and having prosecuted it until 1902, he should now be entitled to receive this. He prosecuted the claim while it dragged its slow course through the Court of Claims, and its still slower course through the Supreme Court of the United States, and all of us know how dreadfully slow and snail-like is the pace that a claim goes through in those circumstances; and after being so finely ground both by the Court of Claims and by the Supreme Court, it does seem to me that the claim comes clean-handed to this body, and that the man ought to be compensated.

Mr. MANN. Mr. Chairman, let me suggest to my friend from Kentucky that what I shall cite is an illustration, apparently, of the care with which both the court and the attorneys in this case gave consideration to the subject:

7. That on or about the 18th day of March, 1885, the claimant's decedent filed his petition in the Court of Claims, No. 14569, for commissions withheld from him on spirit stamps for the six years immediately preceding the filing of his petition, to wit, from July 1, 1879, to and ending June 30, 1884.

Now, when the court and the attorneys both figure that it is six years from July 1, 1879, to July 1, 1884, I think there is need of reconsideration. That is a mathematical error.

Mr. HELM. But that is simply a mouse track. It is immaterial; it does not cut any figure in the claim at all.

Mr. MANN. It does not cut any figure in the merits of the claim; but when that is repeated by the court several times and by the attorneys in the case it shows that no one had ever given consideration enough to it to figure out the length of time, something that a man ought to know instantly, but which apparently they do not yet know.

Mr. HELM. Was that a mistake of the Supreme Court of the United States?

Mr. MANN. No; the Supreme Court does not make such mistakes.

Mr. HELM. What court made the mistake?

Mr. MANN. The Court of Claims.

Mr. HELM. Ought this man to be penalized for a little mistake like that.

Mr. MANN. And also the attorneys for the man who appeared before the Court of Claims.

Mr. HELM. Ought he to be penalized for a trivial mouse track of a mistake that the attorney made and for which he has been paid? He has been paid from 1879 until 1884, and the portion of the compensation that he wants is from 1873 to 1878.

If there is anything that appeals to the gentleman from Illinois, the man to whom this debt is so justly due is in very straitened circumstances and has been depending on this claim for years. It has been hanging up and shuttlecocked up and down in the Senate in different bills and almost in the act of being passed. It does seem to me that it is an equitable and just claim, and if the gentleman from Illinois knew the circumstances of the case I do not believe that he would insist upon objecting to the claim.

Mr. MANN. This man held office from July 1, 1873, to July 4, 1885, and was perfectly satisfied to hold the office and take the pay. After he was kicked out of office, then he wanted to get a great deal more pay, and I have no sympathy with him, as far as the equity is concerned.

Mr. HELM. The man has long since died.

Mr. MANN. If he is entitled to it legally, he gets it.

Mr. HELM. The man has long since died, and this is his only surviving son.

Mr. MANN. Then there is less reason for passing it. Certainly his son did not earn it. The man was glad to hold the job. He is a Republican and was glad to hold the job, like many others in Kentucky, and knew what he was getting. After he got through holding the job, when Mr. Cleveland came in, he struck some bright attorney who told him that he was entitled to some more money and went into the Court of Claims and got all he could get, barring the statute of limitation.

Mr. HELM. Oh, no.

Mr. MANN. Yes; he got what he could get under the law, and then having gotten that much he wants us to waive the statute of limitation. Now, morally he was not entitled to a cent at any time. He knew what he was getting while in office. He was satisfied with what he was getting while he was in office. He wanted to keep the office and quit because the Democratic administration came in and fired him. Now, many a man would like to hold office for 12 years—

Mr. HELM. I want to beg and plead with the gentleman as earnestly as I can because my heart is in it for this man who needs it awfully badly—

Mr. MANN. He does not need it half as much as the fellows who have to pay it.

Mr. HELM. This collector was in the same shape as the Members of Congress would be who get \$7,500 salary, and also get stationery and some mileage. If we had overlooked our mileage and had died and our heirs would come in and want that mileage or that stationery, notwithstanding we had received \$7,500—

Mr. MANN. That is a good illustration.

Mr. HELM. For 18 or 20 years—

Mr. MANN. That is a good illustration. I am entitled to mileage under the law from Congress several years ago. The law gave me mileage and I never got it, and if sometime some of my relatives or heirs should come before Congress and ask for that money I hope to God they will be turned down cold. I am not asking for it and they are not entitled to it.

The SPEAKER pro tempore. Is there objection?

Mr. HELM. Does the gentleman object?

Mr. MANN. I will have to object.

DOMMICK TAHENY AND JOHN W. MORTIMER.

The next business in order on the Private Calendar was the bill (S. 1058) for the relief of Dommick Taheny and John W. Mortimer.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

LYMAN D. DRAKE, JR.

The next business in order on the Private Calendar was the bill (H. R. 15168) for the relief of Lyman D. Drake, jr.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lyman D. Drake, jr., of Corpus Christi, Tex., the sum of \$10,000, out of any money not otherwise appropriated, for personal injuries received while in the employ of and working upon the Panama Railroad and in connection with that service and in the employ of the Panama Canal Commission as brakeman upon the Panama Railroad.

The committee amendment was read, as follows:

Page 1, line 5, strike out "\$10,000" and insert "\$1,102.50."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. This man under the compensation law would be entitled to have received \$1,042.50. I do not recall how the committee reached the \$1,102.50. The compensation law would have given \$1,042.50.

Mr. GARNER. I do not know myself.

Mr. MANN. If that is satisfactory to the gentleman, why—

Mr. GARNER. If the gentleman himself has made the calculation, that certainly must be correct.

Mr. MANN. I made the calculation.

Mr. GARNER. The Clerk of the committee said he got \$105 a month.

Mr. MANN. That is right. But he got some of this money.

Mr. GARNER. Oh, he did?

Mr. POUL. He got over \$45.

Mr. GARNER. I am willing that he should receive what is the usual amount under the compensation act. Mr. Chairman, I move to strike out the amount "\$1,102.50" and insert "\$1,042.50."

Mr. MANN. I have no objection to that.

The SPEAKER pro tempore. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend the amendment by striking out "\$1,102.50" and inserting in lieu thereof "\$1,042.50."

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from Texas.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, commencing in line 7, after the word "of," the following language: "and working upon the Panama Railroad and in connection with that service and in the employ of." I want to give a correct description here.

Mr. GARNER. Very well.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, after the word "of," strike out the following language: "And working upon the Panama Railroad and in connection with that service and in the employ of."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the word "Panama," in line 9, and insert the word "Isthmian"; and strike out all of the bill after the word "Commission" and insert in lieu thereof "in the capacity of trainman." This man was a trainman on the Isthmian Canal and not on the Panama Railroad.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 9, strike out the word "Panama" and insert the word "Isthmian"; and strike out after the word "Commission" the words "as brakeman upon the Panama Railroad" and insert the words "in the capacity of trainman."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGIA RAILROAD & BANKING CO.

The next business on the Private Calendar was the bill (S. 926) for the relief of the Georgia Railroad & Banking Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,888.68 to the Georgia Railroad & Banking Co., formerly called the Georgia Railroad Co., for the balance due it for the transportation of the United States mails under contract prior to May 31, 1861, on routes Nos. 6136, 6143, and 6144, Georgia, said balance having been found due by the Auditor for the Post Office Department and reported to Congress by the Secretary of the Treasury in Document No. 297, first session, Fifty-ninth Congress.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I read this report, it is based entirely on the fact that the records of the Confederacy which came into the control of the Government showed that this railroad company had received the full quota of payment from the Confederacy for services that had been performed prior to the outbreak of the Civil War, and, further, that those records were rather mutilated and not complete. Now, I wish to inquire whether this railroad com-

pany itself—because this report does not show anything to that effect—has ever made any affidavit showing that they really were not paid the full amount, or whether this is a matter that is in the hands of some claims attorney. The committee report indicates that they are merely acting upon some partial Confederate report showing that this railroad company way back in the war times received thousands upon thousands of dollars for this claim, and this mutilated record shows that they did not receive some \$4,000, which is proposed to be appropriated in this bill.

Mr. MANN. The gentleman will find on page 4 of the report the affidavit of a man who claims he was cashier of the Georgia Railroad & Banking Co., who states that "the said records failed to show that said company ever received from any source the balance of \$4,880.68 shown to be due the said railroad company in said Document No. 92," and so forth.

Mr. STAFFORD. Do not those records refer to the records of the Confederacy?

Mr. MANN. Oh, no. Those are the records of the company. He testifies that the cashier of the company and the records show that that money was never received.

Mr. STAFFORD. I had read most of the report, but I must confess that I had overlooked that paragraph that the gentleman refers to. That answers the question whether there ought not to be some proof from the claimants to the effect that they had not received the full amount.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

SOUTHERN TRANSPORTATION CO.

The next business on the Private Calendar was the bill (S. 5695) for the relief of the Southern Transportation Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Southern Transportation Co., of Philadelphia, Pa., the sum of \$5,556.70, to reimburse the said company for the repairs, expenses, and demurrage in connection with the barge *Antietam*, owned by said company, on account of damage to said barge by collision with U. S. lightship No. 80, which amount is hereby appropriated.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

PAY INSPECTOR F. T. ARMS, UNITED STATES NAVY.

The next business on the Private Calendar was the bill (S. 3525) for the relief of Pay Inspector F. T. Arms, United States Navy.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. T. Arms, of the navy yard at Portsmouth, N. H., a pay inspector in the United States Navy, the sum of \$955.20, to reimburse him for payments made as paymaster in the Navy, as shown by his official accounts.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE E. LERRIGO.

The next business on the Private Calendar was the bill (S. 3419) admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas.

The Clerk read the bill, as follows:

Be it enacted, etc., That George Edward Lerrigo, the son of an American citizen, of the city of Topeka, in Shawnee County, State of Kansas, is hereby admitted and declared to be a citizen of the United States of America, and is fully naturalized as such citizen for all purposes from and after the taking effect of this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. This is a special bill to grant a man citizenship. I think it is a meritorious case. I had some consideration of this bill last winter, or at some other time since this Congress met—winters and summers have run together, you know. I also had another case a good deal like it, and I took them up

with some members of the Committee on Immigration and Naturalization and asked them if that committee was willing to report any of these bills at all.

They had passed one once before—a very peculiar case. The members of the committee told me that they would not favorably report this bill. It was a House bill then, I think, and they said they would not report the other bills which some of my constituents wanted reported. I see they have now reported the Senate bill. I have no objection to it, though I wish they had not put me in the embarrassing position of telling certain people that after investigation I was informed that the committee would not report any bill like that.

Mr. STAFFORD. Does not the gentleman believe this is an earnest of their intention to give consideration in the near future to the bills in which the gentleman is interested?

Mr. MANN. Oh, no. I have forgotten what the bill was. I never introduced any bill, in fact.

Mr. MOORE. Mr. Speaker, I do not recall any bill coming from the gentleman from Illinois which was referred to the Committee on Immigration.

Mr. MANN. I did not introduce the bill. If I used the word "bill," I was mistaken. It was a case. I laid the papers before certain members of the Committee on Immigration, and had an investigation made of the matter.

Mr. MOORE. I will say to the gentleman that there was a great deal of doubt in the committee about reporting any of these bills.

Mr. MANN. I have no inclination to criticize the committee.

Mr. MOORE. I simply rose to say that I did not recall any bill of the kind introduced by the gentleman from Illinois.

Mr. MANN. I did not introduce any bill.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

JOHN CALVIN LEONARD.

The next business in order on the Private Calendar was the bill (H. R. 18174) to transfer Capt. John Calvin Leonard from the retired to the active list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

S. W. LANGHORNE ET AL.

The next business in order on the Private Calendar was the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to S. W. Langhorne and the legal representatives of H. S. Howell, of Helena, Mont., out of any money in the Treasury not otherwise appropriated, the sum of \$1,568, and said amount of \$1,568 is hereby appropriated out of any money in the Treasury not otherwise appropriated, being the amount paid by them for rent of the building used by the United States for a land office at Helena, Mont., from November, 1885, up to and including June, 1900, a period of 56 months, at \$28 per month.

With the following committee amendment:

Page 2, lines 1 and 2, strike out the words "nineteen hundred" and insert in lieu thereof the words "eighteen hundred and ninety."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

STEAMER "GENERAL GARRETSON."

The next business in order on the Private Calendar was the bill (H. R. 21126) to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins*.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon application of the owner, the Wilson Transit Co., of Mentor, Ohio, to change the name of the steamer *General Garretson*, official No. 203974, to the *S. H. Robbins*.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

A. W. SUDDUTH.

The next business in order on the Private Calendar was the bill (H. R. 12075) to correct the military record of A. W. Sudduth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against the name of A. W. Sudduth, late of Company K, First Regiment Missouri Volunteer Artillery, and to issue to him an honorable discharge from said service.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:
"That in the administration of the pension laws and laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, A. W. Sudduth, late of Company K, First Regiment Missouri Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on June 16, 1865: *Provided*, That no back pay or other allowance or emolument shall accrue prior to the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

DANIEL JORDAN.

The next business in order on the Private Calendar was the bill (H. R. 18884) for the relief of Daniel Jordan.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Daniel Jordan shall hereafter be held and considered to have been in the military service of the United States as a private in Company F, Eighth Regiment Pennsylvania Reserve Infantry, and Battery C, Fifth Regiment United States Infantry, from April 23, 1861, to July 20, 1865, and to have been honorably discharged as such on the latter date.

With the following committee amendment:

Page 2, line 1, after the word "date," insert:

"*Provided*, That no back pay, back pension, or other emolument or allowance shall accrue prior to the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

ALFRED S. LEWIS.

The next business in order on the Private Calendar was the bill (S. 1377) for the relief of Alfred S. Lewis.

The bill was read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Alfred S. Lewis shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a first lieutenant of Company H, Eighteenth Regiment Kentucky Volunteer Infantry: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

CHARLES A. SPOTTS.

The next business on the Private Calendar was the bill (S. 5092) for the relief of Charles A. Spotts.

The Clerk read the bill, as follows:

Be it enacted, etc., That the homestead entry of Charles A. Spotts on Farm Unit L, or the northeast quarter of the southwest quarter of section No. 2, in township No. 20, north of range No. 21, west of the Montana principal meridian, made under the act of April 23, 1904 (33 U. S. Stat. L. 302), as amended by the act of May 29, 1908 (35 U. S. Stat. L. 448), is hereby validated, subject to future compliance with the law.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be read the third time, was read the third time, and passed.

JOHN A. RYAN.

The next business on the Private Calendar was the bill (H. R. 15666) for the relief of John A. Ryan.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Ryan, who was permanently disabled while engaged in the employment of the United States Government at the Philadelphia post office, in the State of Pennsylvania, the sum of \$15,000.

With the following committee amendment:

Strike out all of said bill after the word "appropriated," in line 5, and add the following: "\$190.79, for the relief of John A. Ryan, of Philadelphia, Pa., on account of injuries received by him while in the discharge of his duties as a clerk in the United States post office at Philadelphia, Pa., in July, 1912."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the chairman of the committee, what is the committee's policy in regard to reimbursement for an injury where the employee is negligent? It appears in this case, from the meager report from the Post Office Department, that the injury was partly due to the claimant's own negligence. The First Assistant Postmaster General, in his letter, refers to a provision that we adopted last year in the Post Office appropriation bill,

but he leaves off of his citation that provision of the law which states that no compensation shall be paid where the employee is negligent. What is the policy of the committee in regard to reimbursing people if injured through their own negligence?

Mr. POUL. The custom of the committee heretofore has been to examine into that matter, and if the injury was brought about by the negligent act of the employee to turn down the proposition for compensation. In other words, we have tried as near as we could to pursue the policy that a public-service corporation would be liable under like circumstances, and we do not think the Government ought to hide behind any technical defense. Whether we have succeeded or not, I do not know.

Mr. STAFFORD. The gentleman knows that in many workmen's compensation acts passed in the States they compensate for injuries that have been received or have arisen through the negligence of the employees. I did not know whether it was the intention of the committee to go as far as that or not.

Mr. POUL. We have resolved the doubt against the Government where it appears that the employee himself was not guilty of gross negligence. In other words, if it was a pure accident and was not brought upon the employee by his own gross negligence, the committee does not think the Government ought to exclude a man from the provisions of the compensation act.

Mr. STAFFORD. I quite agree with the attitude of the committee in not depriving the man of the compensation.

Mr. MOORE. Will the gentleman yield?

Mr. POUL. Yes.

Mr. MOORE. I had an extremely pathetic letter from this man to-day, indicating that his injury is permanent. His salary is only \$600 a year. The report from the department indicates that the injury was partly due to Mr. Ryan's own negligence, but he was in the discharge of his duty as a clerk. The man is permanently injured, and the amount allowed him is an extremely small amount. I do not see anything here to indicate what the negligence was.

Mr. STAFFORD. There is nothing in the report.

Mr. MOORE. The letter from the Assistant Postmaster does not show it.

Mr. STAFFORD. Does the letter from the claimant indicate what the negligence consisted of?

Mr. MOORE. Yes; I have not the letter with me; I did not know the case was coming up. The statement in the letter was one of distress, loss due to sickness and pain resulting from the accident; all of which indicated that he was permanently injured. Now, you allow him \$190 for an injury of that kind, which is a very small amount. I do not want to run counter to the policy of the committee, but it seems to me that there is little to show that the man was negligent, and it does show that he was permanently injured.

Mr. MANN. I understand that the man is at work now for the Government and draws full pay.

Mr. MOORE. I do not know about that.

Mr. MANN. He was paid for all the time he was absent.

Mr. STAFFORD. I wish to direct the attention of the gentleman from Pennsylvania to the report from the Assistant Postmaster General, who says that at the time of the accident he was receiving a salary of \$600, and as a result of the disability incurred was absent for 114½ days, without pay, from July 11.

The natural inference is that thereafter he was able to resume work.

Mr. MOORE. That is what he is being paid for—the absent time.

Mr. MANN. That is all.

Mr. MOORE. If that is the policy of the committee, I will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the first word. The gentleman from Pennsylvania [Mr. Moore] just said that if it was the policy of the committee to do so-and-so he would not object. I do not know how we can always ascertain what is the policy of the committee. I am speaking now not very seriously, and I hope gentlemen will not get very excited about it. The other day the Committee on Claims reported on a bill which was introduced to cover an injury where the injury was not the negligence of the employee, and they reported it adversely upon the ground that they would not report favorably any bill for injuries to post-office employees that were not covered by the general law, and, of course, they would not report those.

They reported a letter from the Postmaster General stating that the Post Office Department, in view of the fact that Con-

gress had to pass a general law on the subject, was opposed to the passage of any private bills for compensation to any employees in the Post Office Department, whether the injuries occurred prior to the passage of the general law or not. That action was taken by the committee, based on the letter of the Postmaster General, on one day. The next day the committee had before it the report of the First Assistant Postmaster General recommending the passage of a bill, and the committee reported that favorably. I do not know how my friend from Pennsylvania will learn the policy of the committee or the policy of the Post Office Department. One day the committee accepts the recommendation of the Postmaster General that no private bills be passed relating to employees of the Post Office Department and the next day the committee accepts the recommendation of the First Assistant Postmaster General that a special bill be passed. I hope my friend will not take this as being at all offensive, because it is not. I think it is a joke.

Mr. POU. Mr. Speaker, I have so repeatedly stated here that, so far as I knew, the committee could not be governed by any fixed policy that it seems almost superfluous to again repeat it.

Mr. MANN. It is superfluous to repeat it; but in view of the fact that the committee just reported a bill adversely and laid it on the table, I thought it worth while repeating it.

Mr. POU. That is very true. It is not worth while to repeat it. The gentleman from Illinois [Mr. MANN] can take isolated cases that any committee of the House having so many bills as the Committee on Claims has and point out apparent inconsistencies. If the committee is going to undertake to act on these cases at all, there is but one rule that I know of that can govern its action properly, and that is to constitute itself a forum, a jury, and try to do justice in every particular case. That is what the committee has done. We have not taken any orders from the Postmaster General or from the Assistant Postmaster General. I would like to say to the gentleman from Illinois that the influence of a member of his party on the subcommittees of the Committee on Claims goes just as far as the word or influence of any gentleman on this side.

Mr. MANN. I can not see what that has to do with it.

Mr. POU. I want to say this: We take up these questions without regard. The question in the consideration of the matters is what gentleman on the committee is willing to do the work of investigation. I have no doubt that we have made mistakes. I have no doubt that we have involved ourselves in apparent inconsistencies, but we try to do right as far as we can, and that is all I have to say in respect to any of these criticisms.

Mr. MANN. Mr. Speaker, I must confess it is rather inconceivable to me just how it is possible for the committee one day to adopt one policy as a committee policy and the next day to adopt a directly opposite policy. I think the Committee on Claims has reported adversely, to lay upon the table, one bill in this Congress. There may have been some others, though I do not recall them. That bill was reported the other day, and I intended to bring it up here, but have not done so.

Mr. POU. Oh, there have been at least half a dozen, I would say to the gentleman.

Mr. MANN. Possibly. I do not recall them. Certainly there has been but one at this session of Congress. I take it that the committee acts on these bills—that it is not just some member of the committee—though perhaps that may be a violent presumption on my part. But here the committee reported that a bill be laid on the table because the Postmaster General was opposed to any of these special bills in the Post Office Department.

That action was taken one day. Now, if a court would do that—try a case one day because of the general policy announced, and the next day should have another case and should decide it the other way—we would think the court was careless, although I think that has been done even by a court.

The SPEAKER pro tempore. The pro forma amendment will be considered as withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JOSEPH A. JENNINGS.

The next business in order on the Private Calendar was the bill (H. R. 19325) for the relief of Joseph A. Jennings.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

JOHN BURROWS.

The next business in order on the Private Calendar was the bill (H. R. 17122) for the relief of John Burrows.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Burrows, of New Orleans, La., out of any funds in the Treasury of the United States not otherwise appropriated, the sum of \$6,000, to compensate him for injuries received while in the employ of the Government on the Panama Canal.

The committee amendment was read, as follows:

Line 6, strike out "\$6,000" and insert "\$1,433.33."

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLOTTE M. JOHNSTON.

The next business in order on the Private Calendar was the bill (H. R. 20800) for the relief of Charlotte M. Johnston.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$2,000 to Charlotte M. Johnston, mother of Frank Volney Johnston, postmaster at Tecate, Cal., border line of Mexico, who was killed in the discharge of his duty.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

AMERICAN TOWING & LIGHTERING CO.

The next business in order on the Private Calendar was the bill (H. R. 17174) to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer*.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$275 to the American Towing & Lightering Co., owner of the tug *Buccaneer*, in full compensation for its claim for damages sustained by said tug being fouled by the United States revenue launch *Gypsy* while said *Buccaneer* was made fast to its wharf in the harbor of Baltimore city.

The SPEAKER pro tempore. Is there objection. [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

COL. RICHARD H. WILSON.

The next business in order on the Private Calendar was the bill (H. R. 16896) for the relief of Col. Richard H. Wilson, United States Army.

The Clerk read as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized and directed to credit to the accounts of Capt. Charles W. Castle, paymaster, the sum of \$7,181.64, and that Col. Richard H. Wilson, Fourteenth Infantry, United States Army, be, and he is hereby, exonerated from all responsibility for the loss of the said sum at Fort William Henry Harrison, Mont., on or about May 16, 1912.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. BRYAN. I hope the RECORD will show that Mr. HUMPHREY, Mr. LA FOLLETTE, and myself are here and very earnest in our support of this bill, and I am particularly interested in the next bill.

W. F. CRAWFORD.

The next business in order on the Private Calendar was the bill (H. R. 21077) for the relief of W. F. Crawford.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. F. Crawford of Bremerton, Wash., who was injured November 17, 1906, at the navy yard, Puget Sound, while at work on board the battleship *Wisconsin*, by falling to the berth deck of said battleship, the sum of \$1,017.25 for the relief of the said W. F. Crawford.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this man would be entitled under the compensation law, if that covered it, to \$330.88. Is the gentleman in charge of the bill willing to accept that amount?

Mr. BRYAN. Is the gentleman going to leave the 88 cents on?

Mr. MANN. Every cent that should go to the man I should like to give.

Mr. BRYAN. Of course we will be glad to accept the \$330 rather than have the bill objected to.

Mr. MANN. I will have to object to it unless it is reduced to that amount.

Mr. BRYAN. I will accept the amendment.

The SPEAKER pro tempore. Will the gentleman state the amendment?

Mr. POUL. The committee will accept the amendment.

Mr. BRYAN. That is what I meant.

Mr. POUL. I understand the position the gentleman is placed in.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to strike out, in line 10, "\$1,017.25" and insert in lieu thereof "\$330.88."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, strike out "\$1,017.25" and insert "\$330.88."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ARTHUR W. FOWLER.

The next business on the Private Calendar was the bill (H. R. 18197) for the relief of Arthur W. Fowler.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sum of \$10,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Arthur W. Fowler, or to his executors or administrators, in full satisfaction of his claim against the United States for damages for the loss of his means of livelihood resulting from serious physical injuries received by him while employed as an electrician's helper in the United States Department of Agriculture, at Washington City, in the District of Columbia, and for physical and mental suffering, as well as all other damages occasioned by an accident on October 8, 1908, while employed in said department, occasioned by the breaking of the limb of a tree upon which he was standing in the line of his duty, by reason of which he has been incapacitated for work at his trade as a telephone cable splicer, and said injuries being caused without any negligence on the part of the said Arthur W. Fowler; said money to be paid under the direction of the Secretary of Agriculture.

With a committee amendment as follows:

Amend, page 1, line 3, by striking out "\$10,000," and inserting in lieu thereof "\$1,000."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANK H. WALKER AND FRANK E. SMITH.

The next business on the Private Calendar was the resolution (H. Res. 720) for the relief of Frank H. Walker and Frank E. Smith.

The Clerk read the resolution, as follows:

[H. Res. 720.]

Resolved, That the bill H. R. 19399, for the relief of Frank H. Walker and Frank E. Smith, with the accompanying papers, be, and the same is hereby, referred to the Court of Claims for the findings of facts and conclusions of law.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

JOE DAVIS.

The next business on the Private Calendar was the bill (H. R. 13700) for the relief of Joe Davis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe Davis the sum of \$1,500, in full compensation for injuries received by him on September 8, 1910, while in the performance of his duties as a powder man and engaged in blasting in connection with the construction of the Cello Canal, Columbia River improvement, in Wasco County, Oreg.

With a committee amendment.

Mr. MANN. Mr. Speaker, I am going to object.

Mr. SINNOTT. I hope the gentleman will withhold his objection until I can make a statement.

Mr. MANN. I will withhold it.

Mr. SINNOTT. Mr. Speaker, this is a bill that has received careful attention from the committee, but by some inadvertence of the printer there was omitted an affidavit from the injured person of date March 2, 1914.

I know that the gentleman from Illinois [Mr. MANN] has announced his intention to object to all bills of this kind where the person injured has had the benefit of the compensation act, but I sincerely trust that the gentleman from Illinois will change his attitude, particularly in regard to this bill. I be-

lieve this is a most exceptional, meritorious, and deserving case. This is the case of a poor, ignorant, illiterate Slavonian, who was ordered by a foreman, at the risk of losing his job, to charge a hole for blasting. The hole was hot, and when the powder was put in it exploded. It tore off the man's arm, destroyed his eye, crushed in his skull, and he is practically helpless. He is dependent now upon the charity of his friends. The allowance of the committee is small, even niggardly, and I do not think that this great Government should be placed in this indifferent, heartless, and callous attitude toward human suffering and mutilation. The blood of the workingman and his limbs are a part of the cost of production, and they ought to be paid for, and this man should not be thrown upon the charity of the world, crippled and maimed by the carelessness and the negligence of this Government.

I sincerely trust that the gentleman from Illinois will withhold his objection and not object to this bill, but let us consider it.

Mr. MANN. Mr. Speaker, I told the gentleman, both publicly and privately, that I was going to object to this bill, and I told him the reason why. The man has been paid compensation under the general law. The gentleman makes a very pretty speech for a jury, but not for statesmen. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. SINNOTT. Just a moment, Mr. Speaker. I want to call the attention of the gentleman from Illinois to this feature of the case: This man was paid under the compensation act the miserly and inadequate sum of \$720; of this sum he was compelled to pay out \$285 for hospital fees and medical attendance.

The SPEAKER pro tempore. The Clerk will read.

PETER M'KAY.

The next business on the Private Calendar was the bill (S. 2589) for the relief of Peter McKay.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter McKay, or his legal representatives, the sum of \$2,500 as full compensation for permanent injuries received by the said McKay on the 5th day of May, 1904, at Fort Worden, in the State of Washington, by being struck with a large piece of log hurled by the explosion of an excessive blast of powder discharged without warning by employees of the United States Government engaged in clearing lands at said Fort Worden under the direction and control of the United States Government.

With a committee amendment, as follows:

Amend, page 1, line 6, by striking out "\$2,500" and inserting "\$1,500."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, my friend from Washington [Mr. HUMPHREY]—and he is one of the dearest friends I have—has besought me in every way possible, trying to reach both my reason and my heart. Well, he reaches my heart, but the reason is all against him, both on this bill and the next one. Now, of course, I will reserve an objection, but that will probably prevent somebody else having a bill passed that ought to be passed. I am going to object to this.

Mr. HUMPHREY of Washington. Will the gentleman withhold his objection one minute?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. Mr. Speaker, this is the claim of Peter McKay. It has been before Congress for several years. I happen to know Mr. McKay well, and he has come to me personally many times about it. Of course it comes under the rule the gentleman from Illinois has laid down, and he is going to object. I ask to extend my remarks by printing the first portion of the report.

The SPEAKER pro tempore. The gentleman from Washington asks to extend his remarks. Is there objection?

Mr. MANN. I object.

Mr. HUMPHREY of Washington. Does the gentleman object to my extending my remarks?

Mr. MANN. Oh, no. I do not object to the gentleman extending his remarks. I beg the pardon of the Chair.

Mr. BRYAN. I am glad the gentleman withdraws that objection, because we all think this is a meritorious claim.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The report referred to by Mr. HUMPHREY of Washington is as follows:

The Committee on Claims, to whom was referred the bill (S. 2589) for the relief of Peter McKay, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the figures "2,500" and substitute in lieu thereof the figures "1,500."

The Senate Report No. 871, Sixty-third Congress, third session, together with two affidavits and a letter from the War Department, are appended hereto and made a part of this report.

A bill for the relief of this man passed the Senate in both the Sixtieth and Sixty-first Congresses.

[Senate Report No. 871, Sixty-third Congress, third session.]

"The Committee on Claims, having had under consideration the bill (S. 2589) for the relief of Peter McKay, reports the same back to the Senate with the recommendation that it do pass amended as follows:

"In line 6 strike out '5,000' and insert in lieu thereof '\$2,500.'

"This claim has been before the Committee on Claims on two previous occasions. A similar bill was favorably reported and passed by the Senate during the Sixtieth Congress and again during the Sixty-first Congress. On March 27, 1908, this committee, in favorably reporting to the Senate a similar bill for the relief of Mr. McKay, said:

"The Committee on Claims, having had under consideration the bill (S. 2743) for the relief of Peter McKay, report the same back to the Senate with the recommendation that it (with an amendment striking out the words 'four thousand dollars' in the sixth line and inserting in lieu thereof 'two thousand four hundred dollars') do pass, for reasons as follows:

"Peter McKay, a resident of the city of Seattle, Wash., is the head of a family consisting of a wife and four daughters largely dependent upon him for support.

"On the 5th of May, 1904, he was at work for the United States Government in the War Department, at Fort Worden, Wash., as a carpenter, engaged in building a searchlight cover. No one except a man by the name of Howard was working with McKay. At the close of the day McKay and Howard quit work and, as was their custom, started for what is known as the bunk house. While they were walking along the road engaged in conversation they were in a position to hear any alarm or warning. In order to reach the bunk house they were compelled to pass a place where the Government force were engaged in clearing for the purpose of making an excavation for the embrasures of 10-inch guns. As they passed a turn in the road immediately before reaching the place where the clearing was being done they heard some one yell, and immediately thereafter a blast exploded. Upon hearing the yell they made an effort to reach a place of safety, but the timber and earth flew through the air by reason of the explosion, and while McKay was crouched behind a stump to save himself a large log which had been thrown into the air by the explosion fell upon his leg and broke it, and it became necessary to amputate it.

"No warning was given McKay that an explosion was to take place. He was walking along a road that he was accustomed to walk to put his tools away. He was not a fellow servant of the men engaged in making the excavation. By their failure to give him notice of the intended blasting, the other employees of the Government were guilty of gross negligence; therefore he sustained his injury as a result of the negligence of the employees of the Government. Had McKay been employed by an individual or a company he could have maintained an action against his employer upon the same state of facts."

"In addition to the foregoing, the proof on file discloses that Mr. McKay is a temperate man of industrious habits, but because of the aforesaid injury has been unable to perform, with any degree of satisfaction to an employer, manual labor—the only employment for which he is by education fitted. That at the time of the accident he possessed a home and a reasonable amount of other property, but because of his inability to work and earn a living for himself and those dependent upon him, he has been compelled to part with all his property, and at the age of 65 years, with a wife 64 years of age and feeble in health dependent upon him, is reduced to poverty and faces the necessity of seeking aid from the local authorities. Clearly, justice in this instance has been too long delayed."

SIMON M. PRESTON.

The next business in order on the Private Calendar was the bill (S. 691) for the relief of Simon M. Preston.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. HUMPHREY of Washington. Will the gentleman withhold his objection a moment?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. This is the case of a gentleman who is now 93 years old, and it seems to me the claim ought to be allowed; but I have reasoned with my friend from Illinois [Mr. MANN] as best I could, and he is obdurate. In order to show the interest and the belief that the Washington delegation have in this claim, I wish to state that my distinguished colleagues, Mr. LA FOLLETTE, Mr. BRYAN, and myself have stayed here now, until toward the hour of midnight, in the hope that the gentleman from Illinois might relent at the last moment and let this very meritorious claim pass. I ask unanimous consent to extend my remarks by inserting the first part of the report.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The report referred to is as follows:

The Committee on Claims, to whom was referred the bill (S. 691) for the relief of Simon M. Preston, having considered the same, report thereon with a recommendation that it do pass.

Senate Report No. 1319, Sixty-second Congress, third session, copies of letters written by the claimant to Hon. Samuel H. Piles, United States Senator, also a letter written by Horace Preston to Hon. John M. Gearin, United States Senator, and copies of the correspondence between Collector Preston and the Commissioner of Internal Revenue at the time of the defalcation, are appended hereto as a part of this report.

[Senate Report No. 1319, Sixty-second Congress, third session.]

"The Committee on Claims, to which was referred the bill (S. 4957) for the relief of Simon M. Preston, late collector of internal revenue for the district of Mississippi, reports as follows:

"That it appears that Simon M. Preston was collector of internal revenue and also stamp agent for the first collection district of Mis-

issippi from June 1, 1869, to May 22, 1873; that it was necessary for him to have deputy collectors; that one D. C. Kearns, who was highly recommended, was appointed deputy collector and entered into bonds, with sureties at the time deemed good, for the faithful discharge of his duties; that said Kearns continued to act as deputy collector until the 1st of March, 1871, when it was discovered that he, the said Kearns, had embezzled moneys collected by him for the United States and was a defaulter for the sum of \$6,400, for which amount said collector, Simon M. Preston, was bound to the Government and for which he stood debtor to the Government in his account; that the said collector caused the said Kearns to be indicted and convicted and fined \$5,836.38, which was the amount of his unpaid defalcations, and sentenced to be imprisoned for 12 months; that the said Kearns was soon after pardoned by the President of the United States and relieved from said fine and imprisonment; that the said Kearns and the said sureties were irresponsible, and there was no means of getting the amount embezzled by him; that the pardon and release of said Kearns removed all chances of compelling restoration from him, and the said collector, Simon M. Preston, was obliged to make good to the Government the defalcation of said Kearns, whereby great injustice was done him.

"It further appears that said collector, Simon M. Preston, was a stranger in Mississippi when he was appointed collector there and did not know and was unable to find out the financial responsibilities of said Kearns's bondsmen. These bondsmen were all men of apparently good reputation and prominent in the citizenship of Mississippi.

"It also appears that as a result of the suit brought by said Preston against the sureties of said Kearns there could not be recovered the amount of said defalcations, the balance being the amount claimed in this bill, viz, \$5,836.38.

"It further appears that the statute under which said Kearns was tried and convicted provided that in case of conviction the defendant should not only be imprisoned, but he should be fined the amount of his defalcation. He was convicted and fined according to statute and sent to prison; but soon thereafter Gov. Ames, an ambitious statesman of Mississippi, listened to the requests of the influential friends of Kearns and urged upon President Grant the pardon of Kearns. It seems quite clear that President Grant consented to do this with the understanding and upon the consideration that the amount of Kearns's defalcation should be made good. The President was informed that this had been done, and there seems to be no doubt but that the President believed that Kearns and his friends had repaid the amount stolen, whereas the fact is that Preston himself had paid the money to the Government. The claimant, Preston, protested against the pardon of Kearns until the latter repaid to Preston the amount of money that he, Preston, had paid to the Government on account of the wrongdoing of Kearns. It appears that certain influential friends of Kearns were at the time of the pardon making arrangements to refund to Preston the amount he had been obliged to pay for his defaulting deputy, but the hasty pardon by the President prevented the consummation of this.

"We do not believe that Mr. Preston has any legal claim against the Government, but we do believe that he has an equitable claim due to the fact that by the action of the President in granting a pardon the claimant was denied the right which the statute evidently contemplated when it required as a part of the penalty the imposition of a fine equal to the amount of the defalcation.

"We therefore report the bill with the recommendation that it do pass."

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object.

TERESA GIROLAMI.

The next business in order on the Private Calendar was the bill (S. 3925) for the relief of Teresa Girolami.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$1,200 to Teresa Girolami, widow of Ettore Girolami, late an engineer in the United States Immigration Service, who lost his life in the discharge of his duty.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

AUSTIN G. TAINTER.

The next business in order on the Private Calendar was the bill (H. R. 17964) for the relief of Austin G. Tainter.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

REMAINS OF THE LATE ROBERT CALDWELL CULBERTSON.

The next business in order on the Private Calendar was the bill (H. R. 20702) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert A. Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.

The bill was read, as follows:

Be it enacted, etc., That the health officer of the District of Columbia be, and he is hereby, authorized to issue a permit for the removal of the remains of the late Robert A. Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.

With the following committee amendment:

Line 5, strike out "A. Culbertson" and insert "Caldwell Culbertson."

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I have no objection to the bill. I am just wondering why it is necessary to pass it.

Mr. MANN. There is no law which authorizes the issuing of this permit. We have passed several of these bills at this session of Congress, usually on District day.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

By unanimous consent, the title was amended to read: "A bill authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa."

AMATO CASTELLANO AND OTHERS.

The next business on the Private Calendar was the bill (H. R. 16777) for the relief of Amato Castellano, Libero Baranello, and Michele Baranello.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the United States Treasury not otherwise appropriated, to pay to Amato Castellano, Libero Baranello, and Michele Baranello, all of Brooklyn, N. Y., the sum of \$2,033.30, being the amount heretofore paid into the Treasury of the United States in settlement of their certain bail bond in the case of United States against Carmana Lobosco, convicted in the United States Circuit Court for the Eastern District of New York, and thereafter, while a fugitive from justice, rearrested through the efforts of said sureties.

With the following committee amendment:

In line 7 strike out the figures "\$2,033.30" and insert in lieu thereof the figures "\$2,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM HENSLEY.

The next business on the Private Calendar was the bill (H. R. 13421) for the relief of William Hensley.

The Clerk read the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

MRS. JOSEPH CAMERON.

The next business on the Private Calendar was the bill (H. R. 15934) for the relief of Mrs. Joseph Cameron.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. Joseph Cameron, widow of Joseph Cameron, the sum of \$2,500, for physical and personal injuries sustained by said Joseph Cameron while in the employ of the United States Government near Minnehaha Falls, Mississippi River, in the State of Minnesota, and while he was working on Government Dam No. 1, on August 9, 1907.

The following committee amendment was read:

In line 5, strike out the figures "\$2,500" and substitute in lieu thereof the figures "\$242."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANK HENRY ROGERS.

The next business on the Private Calendar was the bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers.

The Clerk read the bill, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Frank Henry Rogers, who died from injuries received in the performance of his duties as an assistant superintendent of construction under the Supervising Architect of the Treasury, while engaged in inspection work on the Federal building at Bellaire, Ohio, the sum of \$5,000.

With the following committee amendment:

In line 10, strike out the figures "\$5,000," and insert in lieu thereof the figures "\$2,500."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, if the gentleman will agree to change that amount to \$2,190, which is a year's salary, I will not object.

Mr. POU. We will accept that.

The SPEAKER pro tempore. The Clerk calls attention to the fact that there is an error in the enacting clause.

Mr. POU. I move to strike out the word "*Resolved*," and insert in lieu thereof the words "*Be it enacted*."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "*Resolved*," in line 1, and insert the words "*Be it enacted*."

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to amend the committee amendment by changing the figures "\$2,500" to "\$2,190."

The Clerk read as follows:

Amend the committee amendment by striking out "\$2,500," and inserting "\$2,190."

The amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

NABOR AND VICTORIA LEON.

The next business on the Private Calendar was the bill (H. R. 7043) for the relief of Nabor and Victoria Leon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$780, and said sum of \$780 is hereby appropriated, to be paid in such portions and under such regulations as the Secretary of Labor may prescribe to Nabor Leon and Victoria Leon, being, respectively, the father and mother of Rumaldo Leon, an employee of the United States, who was drowned in the course of his employment on construction work in the reclamation of arid lands at Granite Reef, on Salt River, Maricopa County, Ariz., on February 17, 1909, such sum being the amount to which the above relatives would have been entitled under the provisions of the act of Congress of May 30, 1908, but which they did not receive because the required affidavit of claim was not filed on their behalf within 90 days after the death, as required by section 4 of the said act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

EVA G. BOND AND DAISY E. JACKSON.

The next business on the Private Calendar was the bill (H. R. 16594) for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson, \$266.27, for services rendered in carrying mail on route No. 8198, Louisiana, from January 1, 1861, to May 31, 1861.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. MANN. Mr. Speaker, I suggest to the gentleman from North Carolina [Mr. POU] that it would be wise now to ask unanimous consent to move to reconsider the vote by which the several bills were passed and to lay that motion on the table.

Mr. POU. Mr. Speaker, I move to reconsider the several votes by which the several bills were passed and to lay that motion on the table.

The SPEAKER pro tempore. Without objection it will be so ordered.

There was no objection.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I call the attention of the gentleman from North Carolina to the fact that it is now half past 11 o'clock.

Mr. POU. Mr. Speaker, in accordance with the order of the House, the hour of half past 11 having arrived, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Thursday, February 11, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting an item of legislation with the suggestion that it be incorporated in section 78 of House bill 15902, entitled "An act to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications," pending in the Senate (H. Doc. No. 1586); to the Committee on Printing and ordered to be printed.

2. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Kent Island Narrows, Md. (H. Doc. No. 1587); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 20894) to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes, reported the same without amendment, accompanied by a report (No. 1393), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DUPRÉ, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 284) giving the consent of the United States for the State of Louisiana to institute suit against the United States in the Supreme Court of the United States, reported the same without amendment, accompanied by a report (No. 1394), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (H. R. 20498) to validate title to certain town sites in the State of Montana, reported the same without amendment, accompanied by a report (No. 1395), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1390), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1391), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1392), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BATHRICK: A bill (H. R. 21397) to reissue fractional paper currency, and to facilitate the operation of parcel post and assist trade between the citizens; to the Committee on Banking and Currency.

By Mr. HAMILTON of Michigan: A bill (H. R. 21398) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: A bill (H. R. 21399) providing for the disposal of certain lands in Imperial County, Cal., and the proceeds arising therefrom; to the Committee on the Public Lands.

By Mr. HAYDEN: A bill (H. R. 21400) to increase the cost of construction of the Federal building at Globe, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21401) for the purchase of a site for a public building at Flagstaff, Coconino County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 21402) to provide for the erection of a public building at Coleman, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of California: A bill (H. R. 21403) to create a tariff commission; to the Committee on Ways and Means.

By Mr. HAYDEN: A bill (H. R. 21404) authorizing the acquisition of a site and the construction of a public building at Yuma, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21405) for the purchase of a site for a public building at Clifton, Greenlee County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. BROCKSON: A bill (H. R. 21412) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near New Castle, Del., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

Also, a bill (H. R. 21413) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near Wilmington, Del., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

By Mr. STEPHENS of California: Joint resolution (H. J. Res. 419) favoring a protective tariff and permanent tariff commission; to the Committee on Ways and Means.

By Mr. VINSON (by request): Joint resolution (H. J. Res. 420) prescribing qualifications of ambassadors, envoys, functionaries, and delegates to and from the United States; to the Committee on Foreign Affairs.

By Mr. HOBSON: Resolution (H. Res. 728) requesting certain information of the Secretary of State; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 21406) for the relief of the estate of Martha J. Crockett, deceased; to the Committee on War Claims.

By Mr. CARR: A bill (H. R. 21407) granting an increase of pension to Philip Berkeybile; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 21408) for the relief of the Cincinnati, Saginaw & Mackinaw Railroad Co., of Saginaw, Mich.; to the Committee on Claims.

By Mr. HARRIS: A bill (H. R. 21409) granting a pension to William Fuller; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 21410) granting a pension to James Mortensen; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 21411) for the relief of George Iran; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petition of Altoona (Pa.) Chamber of Commerce, favoring passage of H. R. 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of Missouri Master Bakers' Association, of Moberly, Mo., in favor of an embargo on wheat; to the Committee on Foreign Affairs.

Also, petitions of Alwin Beyer, of Watervliet, N. Y., and 26 citizens of Philadelphia, Pa., in favor of an embargo on arms; to the Committee on Foreign Affairs.

Also, petitions of St. Anthony's Parish, membership 275, of St. Louis, Mo., and citizens of St. Louis and vicinity, 113 in number, in favor of an embargo on arms; to the Committee on Foreign Affairs.

Also, petition of citizens of St. Louis, Mo., in favor of the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Charles C. Nichols, of St. Louis, Mo.; Harry A. Drinker, of St. Louis, Mo.; and Lynn E. Bryan, of Webster Groves, Mo., against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. DALE: Petition of New York associated dailies, protesting against increase in postage on newspapers; to the Committee on the Post Office and Post Roads.

By Mr. DONOVAN: Petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. DRUKKER: Petitions of St. John's German Lutheran Church, of Passaic, and sundry citizens of Paterson, both of the State of New Jersey, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of Elmer E. Hubbard, of Cardenas, Cuba, relative to federation of nations, first on the Western Hemisphere; to the Committee on Foreign Affairs.

Also, memorial of Woman's Club, of Orange, N. J., favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. GALLIVAN: Petitions of Charlestown Nest of Owls, No. 14691; Warren Association of Charlestown; and Knights and Ladies of St. Brendan, Boston, Mass., favoring the passage of the Hamill bill—House bill 5139; to the Committee on Reform in the Civil Service.

By Mr. GILMORE: Petition of water commissioners of Braintree, Mass., against discontinuance by United States Government of printing of envelopes with return address; to the Committee on the Post Office and Post Roads.

Also, petition of C. A. Bohlin and C. D. Fyhr, of Brockton, Mass., favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petitions of Herman Bruhl and others, Sam Ambrose and others, Gottlob Wardner and others, F. J. Frey and others, all citizens of Columbus, Ohio, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of German Roman Catholic State Federation of Pennsylvania, relative to publication called the Menace being suppressed; to the Committee on the Post Office and Post Roads.

Also, petition of German Roman Catholic Central Vereins in the State of Pennsylvania, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Philadelphia County Federation of Protestant Patriotic Fraternities and Protestant Church Organizations, protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GRIFFIN: Petition of sundry citizens of Brooklyn, N. Y., favoring world federation of all nations; to the Committee on Foreign Affairs.

Also, petition of C. F. Hetzel, of Brooklyn, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of New York associated dailies, protesting against increase in postage on newspapers; to the Committee on the Post Office and Post Roads.

Also, petition of associated physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. HELGESEN: Petitions of citizens of Linton, Lidgerwood, Leonard, Neche, Niagara, Alice, Amenla, Anamoose, Barney, Bismarck, Bisbee, Braddock, Calio, Casselton, Cathay, Cogswell, Crocus, Davenport, Devils Lake, Egeland, Elgin, Enderlin, Lincoln Valley, Fargo, Forbes Gardens, Grand Forks, Hensel, and Hillsboro, all of North Dakota, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Connecticut: Petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. KETTNER: Petitions of residents of Anaheim, Fullerton, Orange, San Bernardino, Redlands, Murrieta, Los Angeles, Elsinore, Banning, Beaumont, Whittier, Santa Ana, and Del Mar, Cal., indorsing House joint resolution 377, placing embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. LEWIS of Maryland: Petition of sundry citizens of Crellin, Garrett County, Md., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of August Michaelis, of New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Cohasset, Mass., favoring Owen-Palmer child-labor bill; to the Committee on Labor.

By Mr. MAHAN: Petition of Hermann Lodge, No. 13, O. D. H. S., of Middletown, Conn., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. MOORE: Petitions of Joseph Schwaab, Harry Schmelle, and sundry other citizens of Philadelphia, Pa., urging passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MURRAY: Petition of Tulsa (Okla.) Commercial Club, favoring passage of House bill 20417; to the Committee on Appropriations.

By Mr. REILLY of Connecticut: Petitions of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

Also, petition of St. Francis Holy Name Society, of New Haven, Conn., favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and societies of Connecticut, favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Meriden, Conn., favoring establishment of free employment agencies; to the Committee on Labor.

By Mr. STEENERSON: Petition of 21 citizens of Dent, Minn., favoring House joint resolution 377 placing embargo on arms; to the Committee on Foreign Affairs.

Also, memorial of Minnesota State Dairyman's Convention, at Owatonna, Minn., urging legislation to prevent deception in the manufacturing and sale of oleomargarine; to the Committee on Agriculture.

By Mr. STEPHENS of California: Petitions from A. H. Naftzger, George E. Bittenger, H. T. Newell, Lyon Fireproof Storage Co., Kahn Beck Co., Kieselguhr Co. of America, Loeb-Fleishman & Co., Brownstein Louis Co., Albert Cohn, Bent Bros., and Laukota Garriotte Co., all of Los Angeles, Cal.; J. L. Tomlinson, Claremont, Cal.; Santa Monica Water Co., Santa Monica, Cal.; Covina Valley Farmers' Club, Covina, Cal., favoring the printing and issuing by the Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

Also, resolution of the City Council of Alameda, Cal., protesting against change of harbor lines; to the Committee on Rivers and Harbors.

Also, joint resolution of the legislature, State of California, favoring the Keating bill to pension soldiers engaged in the Indian campaigns from 1865 to 1891; to the Committee on Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Amarillo, Tex., protesting against passage of House bill 20644; to the Committee on the Post Office and Post Roads.

By Mr. TEN EYCK: Resolution from citizens of Altamont, N. Y., in favor of the Vollmer resolution, H. J. Res. 377, signed by Rev. Joel Martin, Rev. A. A. Frederick, Rev. George W. Furbeck, and 19 others; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petitions of 2,656 American citizens, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of sundry citizens of Amsterdam, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, February 11, 1915.

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast made life exceeding precious by giving Thy life to the life of men. We have been called into union with the Divine. We are coworkers together with God not only because we can cooperate with God, but we can be coordinated with Thy life and Thy great purpose. We seek as the supreme end of life to know Thy will, and we ask for the grace that Thou alone canst give to us that we may do Thy will. We have not been put under the thralldom of the order of nature whose eternal note is recurrence; we have been given the power of the spirit which calls us ever onward and upward in the eternal progress of life. May we hold to the divine principle and seek to follow the guidance of the living God. For Christ's sake. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, February 5, 1915.

Mr. REED. Mr. President, I ask that the further reading of the Journal be dispensed with.

Mr. GALLINGER. I object, Mr. President.

Mr. LODGE. I object.

The VICE PRESIDENT. There is objection to dispensing with the further reading of the Journal. The reading will proceed.

The reading of the Journal was resumed and concluded.

Mr. McCUMBER and Mr. SAULSBURY addressed the Chair. The VICE PRESIDENT. The Senator from North Dakota. Mr. SAULSBURY. Mr. President, I ask to be excused from further service on the—

The VICE PRESIDENT. Let us first settle the question on the approval of the Journal.